Orange is the New Outback: Government-issued Convict Clothing as Uniform in 1830s New South Wales

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Abstract

Uniforms utilise the power of clothing to convey personal identity to distinguish the wearer from wider society and signify that they are part of a group, subsequently implying their alignment with the roles or opinions expressed by such group. As such, uniforms can be used as a method of control and, specifically in the case of prison uniforms, of punishment and dehumanization.

This dissertation demonstrates that the British government utilised the uniform as a social tool of distinction, control and punishment when issuing clothing to the convict men labouring in the public works in 1830s New South Wales. Due to the public labour that transported convicts were required to undertake resulting in inevitable interaction between the free and the imprisoned, the utilisation of convict clothing was a primary way of distinguishing between these two groups and, thus maintaining control of the penal system.

Many academics have pointed to unreliable shipments of clothing meaning that the creation of a cohesive convict uniform during this period was impossible. This dissertation challenges this claim by considering the uniform as a more flexible series of symbols displayed through clothing indicating the wearer's convict status, rather than the necessity for complete uniformity of dress.

This dissertation primarily consults government correspondence, contemporary newspaper articles, and contemporary images to assess the priority of and intentions behind issuing uniform clothing by the government, the challenges faced when executing these aims, and the subsequent interpretation of convict clothing by the wider public.

Ultimately, this study takes a rather broad view of what constitutes a 'convict uniform' in that, so long as the wearer can be identified as a convict, the actual uniformity of convict garb is less significant. In doing so, this dissertation reveals a complex series of sartorial marks of convictism with the uniform designed by the government not necessarily correlating with the image of the convict in public imagination.

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Introduction

How do you design the image of a convict? If I asked you to picture a convict your mind would likely think of someone dressed in a black and white striped uniform, perhaps wearing a matching cap. Or maybe you would imagine someone in a numbered orange jumpsuit with their wrists locked in handcuffs. Today our understanding of convict clothing has been shaped by countless films, documentaries and tv shows that take place within prison walls and have established this image in our minds, despite most people lacking first-hand experience.[1] This has not always been the case.

1830s New South Wales and assigning convict labour

When the British government first transported convicts to the previously uncolonized Australia in 1788 to help deal with the excessive convict population at home, the very concept of a convict uniform was in its infancy.[2] The initial concerns in providing convict clothing arose from a great scarcity of clothing due to the unreliable shipments of stores from England on which the colony relied. [3] By the 1830s, however, increasing numbers of free citizens, who were either emancipated convicts, largely British immigrants, or first-generation white Australians, meant that distinction between free settlers and convicts was becoming a larger priority, with clothing being an option in reinforcing this divide.[4] This begs the question of how a distinction could be created when the wider public had no concept of what a convict *should* look like.

[1] Juliet Ash, *Dress Behind Bars: Prison Clothing As Criminality* (London: I. B. Tauris & Company, Limited, 2009), pp. 165-169.
[2] Ash, *Dress Behind Bars,* p. 18; Alan Frost, *Convicts and Empire: A Naval Question, 1776-1811* (Oxford: Oxford University Press, 1980), p. xii; J.B Hirst, *Convict Society and Its Enemies: A History of Early New South Wales* (Sydney: George Allen & Unwin, 1983), p. 9.
[3] Margaret Maynard, *Fashioned from Penury: Dress as Cultural Practice in Colonial Australia*, Studies in Australian History (Cambridge: Cambridge University Press, 1994), p. 9;
[4] Clare Anderson, 'Fashioning Identities: Convict Dress in Colonial South and Southeast Asia', *History Workshop Journal*, 52 (2001) 152–74, p. 21. Sandra Blair, 'The Felonry and the Free? Divisions in Colonial Society in the Penal Era', *Labour History*, 45 (1983) 1–16, pp. 1-2; R.W Connell and T.H. Irving, *Class Structure in Australian History*, 2nd edn (Melbourne: Longman Cheshire Pty Limited, 1992), p. 37; ibid., p. 21.

A primary reason for the lack of distinction between convict and settler was due to the integration of convicts into the private workforce. In the 1820s the government began assigning most convicts to work for free settlers in the colony, as opposed to working directly for the government.[5] While this system was beneficial for the government, as it required the settler to care for the convicts in their employment, it also meant that convicts were working alongside free settlers, effectively integrating them into wider society.[6] That the clothing issued to these assigned convicts was provided to them by their employer only served to blur this boundary further as it meant that 'convict servants wore their master's livery and could not be distinguished from other workers.'[7] An influx of free immigrants arriving in the 1830s meant discussions surrounding this distinction became more prominent, as the maintenance of the emerging class system became a priority to those in the upper classes.[8]

Although the system of private assignment contributed to attitudes towards convicts in the colony, this dissertation focuses on the clothing issued to the convicts in government care. During the 1830s, the Office of Ordnance was responsible for organising the procurement of convict clothing, with this clothing then being provided through the Commissariat in New South Wales.[9] By this period, a mercantile community was beginning to emerge in the colony, as well as, in a limited form, privatised cloth manufacture.[10] In response to this, there were continued efforts by the government to transfer clothing procurement to the colony. These attempts were often combined with moves to employ convict women to weave cloth and sew required garments, however this was largely unsuccessful, and most of the clothing supplied was still imported from England during this decade.[11]

[5] Connell and Irving, p. 37.
[6] Maynard, p. 16.
[7] ibid, p. 26.
[8] Connell and Irving, pp. 65-66.
[9] Maynard, p. 28.
[10] N. G. Butlin, *Forming A Colonial Economy, Australia 1810-1850* (Cambridge: Cambridge University Press, 1994), pp. 119-121.
[11] T. A. Coghlan, *Labour and Industry in Australia: From the First Settlement in 1788 to the Establishment of the Commonwealth in 1901*, 4 vols (London: Oxford University Press, 1918), I, p. 178; Maynard, p. 37; Salt, *These Outcast Women: The Parramatta Female Factory 1821-1848* (Sydney: Hale & Iremonger, 1984), p. 108.

Establishing academic context

Australian colonial history and clothing

Robert Hughes argues that the subject of white Australia's penal origins went largely unexplored by scholars until the latter half of the twentieth century due to a collective "Cultural Cringe", which suggested that this past was somehow shameful and thus not appropriate for academic study.[12] Although a few books were published prior to this decade, possibly in response to the 200th anniversary of the arrival of the First Fleet the 1980s saw a great increase in academic literature concerning colonial Australia. Many of these academics took either a sociological, political or economic approach to the topic to focus on the role of convicts in contemporary society, particularly in regard to the exploitation of convict labour and its role in transforming Australia into a sustainable colony.[13] While these texts briefly address the issuing of convict clothing in relation to wider conversations concerning convict stores or domestic textile production, clothing is largely not considered a worthy focal point.

Prison uniforms and control

Similarly, prison uniforms have often been absent from theoretical discussions on uniform. Questions of clothing as an external marker of identity and a reflection of cultural hierarchy have always been present dress history, with Margaret Maynard arguing that 'clothing makes culturally visible the historical constraints and imperatives experienced by individuals and social groups.'[14] This conversation has naturally included uniform as a method of control, both from dress historians and

[12] Robert Hughes, *The Fatal Shore: A History of the Transportation of Convicts to Australia, 1787-1868*, 2nd edn (London: The Harvill Press, 1996), pp. xii-xiii.
[13] John Bach, *A Maritime History of Australia* (London: Hamilton, 1977); Connell and Irving; Frost; Hirst; Katrina Alford, *Production or Reproduction?: An Economic History of Women in Australia, 1788-1850* (Melbourne; Oxford: Oxford University Press: Oxford University Press, 1984); James Semple Kerr, Design for Convicts: An Account of Design for Convict Establishments in the Australian Colonies during the Transportation Era (Sydney: Library of Australian History, 1984); Stephen Nicholas, *Convict Workers: Reinterpreting Australia's Past* (Cambridge: Cambridge University Press, 1988).
[14] Maynard, p. 2.

sociologists.[15] School or work uniforms, leisure uniforms, and unofficial uniforms dictated by social expectations are all frequently explored. Prison uniforms are set apart, however, due to their explicit role as part of a system of punishment and reformation, as well as their mandatory wear at all times. An exception to this is Juliet Ash's 2010 book *Dress Behind Bars: Prison Clothing as Criminality*, which traces the development of prison uniforms, primarily in the Western world, from the mid- to late-eighteenth century until the present day, which has provided a strong theoretical and contextual base for this study.[16]

Ash argues that 'prison dress is defined by the power of political systems that dominate networks of criminal justice' and that 'the history of prison clothing is the history of mechanisms of the embodiment of law and order.'[17] According to Ash, convict clothing is inseparable from the systems of punishment that it exists within, not only as a by-product, but as an active agent. In the context of colonial Australia this was most true for the convicts who remained in government employment, as their clothing was provided by the power in charge of the penal system. Exploring the motivation behind and reception of the clothing issued to these convicts, therefore, opens a window to explore wider ideas surrounding government priorities when caring for convicts in such a challenging environment, as well as settler attitudes towards the penal system.

Colonial Australian convicts in dress history

The primary text informing this dissertation is art historian Margaret Maynard's 1994 book *Fashioned From Penury: Dress as Cultural Practice in Colonial Australia*.[18] Written in the wake of the explosion of literature on convicts and colonial Australia, Maynard draws focus to the place of clothing in Australian society from 1788 into the 1900s, framing dress as an active tool that has

[15] Jennifer Craik, *Uniforms Exposed: From Conformity to Transgression*, 1st edn (Oxford: Berg, 2005) <https://doi.org/10.2752/9781847881212>; Nathan Joseph and Nicholas Alex, 'The Uniform: A Sociological Perspective', *American Journal of Sociology*, 77.4 (1972), 719–30.
[16] Ash, *Dress Behind Bars*.
[17] ibid., p. 3; 6.
[18] Maynard.

shaped Australian society and sense of identity into the modern day. Although this is still considered the most conclusive study of Australian dress, there are several areas where reconsideration is worthwhile, particularly in light of academic advancements, such as Ash's book, in recent decades.

Maynard largely frames the attempts to implement convict uniforms in the colony as a failure, arguing that 'by the late 1830s insufficient supplied clothing and the freedom implicit in the assignment system caused intervention into the dress of convicts to diminish. By then the distinction between categories of transportee had virtually disappeared.'[19] Although the insufficiency of clothing is important when considering the formation of a uniform, this largely overlooks any government attempts to enforce a uniform and, more crucially, any implications this may have for the wider penal system. Nathan Joseph also argues that 'paradoxically, uniformity is not essential to the uniform' for it to carry out its social function, so long as it bears a symbol that is recognisable to the outside viewer.[20] What Maynard also fails to consider, therefore, is any smaller sartorial symbols that would mark the wearer out as a convict and be recognisable to free society, despite the generally diverse dress of the convict.

Overview of primary sources

Government correspondence

This dissertation, then, will consider to what extent the clothing issued to convicts by the government in the 1830s could be considered a prison uniform, as well as if this 'uniform' was developed due to active design choices by the relevant government departments. Considering the social shift from penal settlement to self-sustaining free colony, as well as the decreasing percentage of convicts being assigned to private settlers was decreasing during this period, this is an area worthy of reconsideration as it invites the questions of government priorities and intentions when

[19] Maynard, p. 26.
[20] Nathan Joseph, *Unifoms and Nonuniforms: Communication through Clothing* (New York; London: Greenwood, 1986), pp. 25-6.

controlling the convicts, that were absent from Maynard's earlier work.[21] In addition to this the contextual social shift allows exploration of the changing role of the convict in society and, thus, public opinions surrounding convict dress.

My research largely focuses on the government correspondence concerning the supply of clothing and stores to New South Wales currently held at The National Archives in Kew.[22] Primarily consisting of letters sent to the Treasury Office in London from either the Board of Ordnance, London or the Commissariat Office in Sydney during the 1830s, these letters provide a detailed accounts of the decisions being made in relation to convict clothing by each of the departments, as well as the challenges that they faced. Possibly due to much of the existing literature on the topic being written by Australian academics, these letters have not previously been consulted in the context of colonial Australian prison uniform. What they reveal, however, is the varying priorities of each department during this period and the compromises made to ensure that sufficient clothing was issued. Subsequently, this reveals the significance of uniformity in respects to other priorities, such as cost and quality, when approving and purchasing clothing and how the government intended to use uniform clothing as a method of reflecting the internal class structure of the convicts in their care.

Newspapers

To further explore the design of convict clothing in the public imagination during this period, I will also be consulting contemporary newspaper articles and visual sources. The 'Trove' online database contains scans of nearly 140,000 newspaper articles from the 1830s, both from mainstream publications, such as the *Sydney Gazette and New South Wales Advertiser* and the *Sydney Herald*, as well as more niche publications, such as *The Currency Lad.*[23] This resource provides a useful insight

[21] Laura Panza and Jeffrey G. Williamson, 'Australian Squatters, Convicts, and Capitalists: Dividing up a Fast-Growing Frontier Pie, 1821–71', *The Economic History Review*, 72.2 (2019), 568–94, p. 582.
[22] The National Archives, Long Papers, bundle 806: New South Wales and Van Diemen's Land: clothing and stores, T 1/4348.
[23] 'Newspapers & Gazettes', <https://trove.nla.gov.au/search/advanced/category/newspapers?l-state=New%20South%20Wales&l-decade=183> [accessed 18 October 2022].

into the opinions and narratives surrounding settler life and has been used extensively by recent historians focusing on colonial Australia. As this database has been created since the publication of Maynard's book, however, there is still new knowledge to be gained from exploring this resource in the context of dress history.

Visual sources

I will also be consulting contemporary visual sources to assess both the extent to which convicts are portrayed in them and the significant sartorial signifiers of convictism they depict. Due to the limited contemporary visual sources remaining many of the images consulted in this dissertation have been discussed previously in academic literature, however, using these images in light of knowledge gained from my analysis of government correspondence invites a new perspective. Comparing these sources suggests the extent to which the uniform that the government are trying to enforce has been mirrored in depictions of convicts by free settlers, as well as revealing any additional symbols that are portrayed in these images.

Research Limitations

Despite the previously unexplored archives available in England, one of the primary limitations when undertaking this project was my inability to physically access material in Australia, particularly in regards to the remaining garments held in museum collections across the country.[24] In terms of remaining historical prison uniforms, Australian museums have a comparatively significant collection, which has largely been written about from a curatorial or archaeological standpoint.[25]

[24] Juliet Ash, 'The Prison Uniforms Collection at the Galleries of Justice Museum, Nottingham, UK', *Journal of Design History*, 24.2 (2011), 187–93, p. 188; Maynard, p. 4.
[25] Linda Clark and others, 'More than Magpies: Tasmanian Convict Clothing in Public Collections', *Historic Environment*, 24.3 (2012), 50–57; Fiona Starr, 'An Archaeology of Improvisation: Convict Artefacts from Hyde Park Barracks, Sydney, 1819–1848', *Australasian Historical Archaeology*, 33 (2015), 37–54; Edward Washington and Fiona Starr, 'What Clothes Did Male Convicts Wear?', *Sydney Living Museums* (2017) <https://sydneylivingmuseums.com.au/convict-sydney/what-clothes-did-convicts-wear> [accessed 18 October 2022]; 'Convict Uniform', *Western Australian Museum* <http://museum.wa.gov.au/research/collections/convictism/history-department-collection/convict-uniform> [accessed 18 October 2022].

Although detailed photographs are often available and these studies provide useful insight into the materiality of the clothing, my inability to access them in person has likely led to an overreliance on these secondary perspectives when discussing the garments.

It should also be acknowledged that this study focuses very heavily on the written government correspondence and thus presents a limited perspective. The viewpoint of the convicts themselves, for instance, has not been considered and the perspective of wider society only constitutes a limited portion of this dissertation. While the period and location mean that remaining primary evidence is limited, the heavy focus on government correspondence also allows a more detailed insight into the motivation behind the design of convict clothing. As analysis of government intention is one of the primary aims of this dissertation, the limited range of primary resources, particularly in the first two chapters, is intended to allow a more thorough exploration of this theme.

Chapter Structure

The first chapter will argue that the design of convict clothing in Australia was a priority to the colonial government during the 1830s. By consulting the correspondence primarily between the Commissariat Office, the Ordnance Office and Treasury during these years I will demonstrate that the design, and particularly the colour, of convict clothing was actively and consistently employed to demonstrate convict status, with the preservation of this system prioritised over other considerations, such as cost.

In the second chapter I will examine the challenges that arose in trying to implement this system. The correspondences also reveal the numerous issues that arose in importing clothing from England and subsequent attempts to establish a sustainable system of supply in Australia. The various priorities of each department when faced with these problems throughout the decade reveal the changing importance of design and speak to how the use of certain fabrics and garments would distinguish convicts from free settlers. The responses to these problems also point to how effectively a system of uniform clothing was able to be established in Australia during this decade.

The final chapter will examine representations of convict clothing within contemporary society to explore how they reflect or contrast the intended government uniform. Primarily focusing on contemporary newspapers and images, this chapter will explore the visibility of the convict in wider society and public discussions surrounding the distinction between the convict and the free. It will also explore how uniformity of clothing contributed to this discussion and to what extent sartorial markers of convictism already existed in the public imagination, whether or not they aligned with government intention.

Chapter 1: Intentional design in government-issued convict clothing

Clothing is one of the most immediate ways we assess people and understand each other.[1] Clothing conveys an infinite number of social messages to anyone who sees them, such as the class, religion, beliefs, occupation, or hobbies of the wearer, before any verbal communication has occurred.[2] Unsurprisingly, uniforms make use of the social role of clothing to employ sartorial symbols that present the wearer as a member of a group, and thus, as a reflection of the group's social role, beliefs, or status.[3] Although academics often argue that the wearing of a uniform is seen as a privilege[4], its enforcement can also be a method of control, as it removes the wearer's agency to express individual identity through their clothing and instead replaces it with a representation of the group to which they belong.[5] This idea is particularly prevalent when considering prison uniforms, as its negative connotations and compulsory 24/7 wear completely replace the wearer's identity with a visual marker of their criminality, essentially reducing their identity to the crime they have committed.[6] In more extreme instances, prison uniforms have been designed specifically with the intention of adding further humiliation to the wearer and acting as an explicit punishment, rather than just a method of categorisation and control.[7]

[1] J. C. Flügel, *The Psychology of Clothes*, ed. by John D. Sutherland, The International Psycho-Analytical Library, 4th edn (London: The Hogarth Press LTD, 1966), xviii, p. 15; Nathan Joseph, *Unifoms and Nonuniforms: Communication through Clothing* (New York; London: Greenwood, 1986), p. 49; Margaret Maynard, *Fashioned from Penury: Dress as Cultural Practice in Colonial Australia*, Studies in Australian History (Cambridge: Cambridge University Press, 1994), p. 2.
[2] Flügel, p. 15; Joseph, p. 2; Maynard, p. 2.
[3] Jennifer Craik, *Uniforms Exposed: From Conformity to Transgression*, 1st edn (Oxford: Berg, 2005) <https://doi.org/10.2752/9781847881212>; Paul Fussell, *Uniforms: Why We Are What We Wear* (Boston: Houghton Mifflin Company, 2002), pp. 4-5; Joseph, p. 2.
[4] Bill Dunn, *Uniforms* (London: Laurence King, 2009), p. 6; Fussell, p. 5; Nathan Joseph and Nicholas Alex, 'The Uniform: A Sociological Perspective', *American Journal of Sociology*, 77.4 (1972), 719–30, p. 729.
[5] Dunn, p. 7; Craik; Joseph, pp. 65-84.
[6] Juliet Ash, *Dress Behind Bars: Prison Clothing As Criminality* (London: I. B. Tauris & Company, Limited, 2009), p. 3; Craik; Fussell, p. 121; Linda Young, 'The Experience of Convictism: Five Pieces of Convict Clothing from Western Australia', *Costume*, 22.1 (1988), 70-84, p. 81.
[7] Ash, *Dress Behind Bars,* p. 25; Sharon Peoples, 'Dress, Moral Reform and Masculinity in Australia', *Grainger Studies: An Interdisciplinary Journal*, 1 (2011), 115–35, p. 123.

Debates surrounding the extent to which colonial convict clothing in Australia can be considered uniform have often drawn attention to the diversity within convict clothing, both due to the majority of convicts being assigned to free settlers and the challenges experienced by the government in obtaining and issuing uniform clothing to those in their care.[8] Focusing on these inconsistencies has created a narrative in which cost was the primary consideration of the government when purchasing clothing, with design rarely being considered, and quality even less so. As important as these challenges were, the government correspondence surrounding the issuing of convict clothing in the 1830s has been largely overlooked and, thus, this conclusion is rather limited. Nathan Joseph argues that, as uniforms often rely on symbols and associations, complete uniformity in clothing is not necessary to constitute a uniform, if the expected symbol is sufficiently visible.[9] It is rather reductive, therefore, to focus on these inconsistencies without examining the aims and priorities addressed in the purchasing and issuing of convict clothing, particularly in instances where design is specified.

Considering the interplay between uniforms and the systems which enforce them, particularly in a prison setting, further exploration of the convict clothing issued by the government also invites discussion surrounding the wider penal system in colonial New South Wales.[10] Initial consideration of the correspondence concerning convict clothing, then, and exploration of the 'ideal' convict uniform from the government's point of view, invites further insight into the priorities of the wider penal system and the role the government anticipated clothing playing in the maintenance and reinforcement of these systems.

[8] Maynard, p. 26; Young, p. 76.
[9] Joseph, p. 26.
[10] Ash, *Dress Behind Bars,* p. 6.

The origins of convict uniforms and the 1779 Penitentiary Act

The introduction of prison uniforms was first suggested in the 1779 Penitentiary Act, in the context of the call for wider penal reforms in England.[11] This Act stated that prison should not only be a means 'of deterring others from the commission of the like crimes, but also of reforming the Individuals, and insuring them to habits of Industry'.[12] It was stipulated that 'every offender who shall be ordered to either of such Penitentiary Houses shall, during the Time of his or her confinement therein […] be clothed with a coarse and uniform Apparel, with certain obvious marks affirmed to the same, as well to *humiliate* the wearer as to facilitate Discovery in case of Escapes' [emphasis added]. [13]

Three design aspects of prison uniforms, then, were specified from its earliest introduction. Firstly, that the clothing should be coarse, providing discomfort to the wearer. Secondly, that the clothing should be uniform, removing any sense of individuality that could be created through clothing and instead replacing that with the identity of 'convict'. Lastly, that this clothing should be intentionally marked in a way that would bring shame to the wearer and be distinctive enough to set them apart from the public in case of escape. Some of the earliest establishments to adhere to these new penal ideals were the gaols at Horsham in 1779 and later in Gloucester in 1792, although there is no evidence of a universal convict uniform in England until the late 1840s.[14] Despite this, government-issued convict clothing, therefore, cannot be considered in isolation, but must be viewed in the context of penal reforms and changing attitudes to punishment, not only as a social background to their existence, but as a key motive in their introduction and design.

[11] Ash, *Dress Behind Bars,* p. 12; Maynard, p. 18; Young, p. 74.
[12] London Metropolitan Archives, Act of Parliament to explain and amend the Laws relating to the Transportation, Imprisonment, and other Punishment, of certain offenders, authorising building of two penitentiaries, ACC/3648/001.
[13] ibid.
[14] Ash, *Dress Behind Bars,* p. 13; Young, p. 74.

Class structure of the convict population in government care

From the earliest days of the settlement, the convict population in colonial New South Wales was essentially utilised for cheap labour to help build and, to a certain extent, help run the establishments needed for a Western lifestyle to be sustained.[15] By the 1830s, most convicts were assigned to work for private settlers, with the convicts that remained under the care of the government being assigned to the public works or being sent to secondary penal colonies, such as Norfolk Island. This assignment was largely dependent on the severity of their crime or the skills they possessed from their previous employment. While there is some debate to the precise percentages,[16] only a small quantity of convicts remained in the care of the government and even fewer were sent to the remote secondary penal settlements.[17] Despite this, investigation of the clothing issued to this portion of convicts still reveals a lot about the structure of the penal colony and government attitudes towards the prisoners.

Convicts who remained within government care were divided into separate classes, determined by the severity of their crime and their behaviour during their imprisonment. At the top of the hierarchy were convicts who were employed as overseers. The overseer was responsible for supervising, on average, twenty convicts who would work together in a 'gang'.[18] This position was awarded to convicts who had been given their ticket-of-leave, as well as convicts who exhibited good behaviour during their sentence. Being a position of relative power over their peers, overseers

[15] Beverley Kingston, *A History of New South Wales* (Cambridge: University Press, 2006), pp. 10-11.
[16] Robert Hughes suggests about one in ten convict worked in the public works (*The Fatal Shore*, 1996), whereas Timothy Coghlan estimates ten convicts in public works to twenty-six in private assignment in 1827, with between 4,200 and 4,800 men working for the government (*Labour and Industry in Australia*, 1918).
[17] T. A. Coghlan, *Labour and Industry in Australia: From the First Settlement in 1788 to the Establishment of the Commonwealth in 1901*, 4 vols (London: Oxford University Press, 1918), I, p. 174.
[18] Stephen Nicholas, *Convict Workers: Reinterpreting Australia's Past* (Cambridge: Cambridge University Press, 1988), p. 41.

were afforded certain privileges, such as extra food and clothing rations as well as, under Lachlan Macquarie's governorship, the labour of two or three convicts assigned to them.[19]

At the bottom of this hierarchy were the men who had been sentenced to live and work in iron chains. Often referred to as those working in the 'ironed gangs', this class primarily consisted of men who had committed crimes in the colony or convicts who had been sentenced to several weeks in chains for poor behaviour, both from government employment and private assignment.[20] Rivetted around the wearer's ankles, these chains weighed between twelve and twenty-eight pounds and were connected by chains of about five feet.[21] Chain gangs were often tasked with road building and other works of manual labour. Though the labour that they were assigned was not in itself different to that given to first- and second-class convicts, the iron shackles they were forced to wear made this work more difficult and clearly signalled their position at the bottom of the convict hierarchy.[22]

Most of the convicts in the public works were considered either first- or second-class prisoners. These men would largely work in gangs of around five to forty convicts, depending on the skill level of the work, on the construction of government buildings, building and repairing roads, clearing land for cultivation, quarrying stone and working on government farms.[23] There was no distinction in the roles assigned to first- and second-class convicts, nor was there a distinction in the clothing issued to them. First and second class convicts were separated in certain accommodations – plans for Parramatta Female Factory, for example, show separate workshops, yards, 'messings' and kitchens for the first- and second-classes – as well as occasionally being distinguished by things such as sleeping arrangements.[24] At Carters' Barracks, an accommodation for convict boys under the age of 16 in Sydney, first-class boys received mattresses and blankets, whereas second-class boys were only

[19] Coghlan, p. 174; Robert Hughes, *The Fatal Shore: A History of the Transportation of Convicts to Australia, 1787-1868*, 2nd edn (London: The Harvill Press, 1996) p. 36.
[20] Coghlan, p. 175; Connell and T.H. Irving.
[21] Young, p. 71.
[22] Coghlan, p. 175.
[23] ibid, p. 176; Nicholas, p. 159.
[24] James Semple Kerr, *Design for Convicts: An Account of Design for Convict Establishments in the Australian Colonies during the Transportation Era* (Sydney: Library of Australian History, 1984), p. 44.

afforded 'a thin india blanket on bare boards,'[25] although this was not necessarily standard. One of the main government-owned convict accommodations in New South Wales, Hyde Park Barracks, was not shown to have separate areas for different classes of convict and all convicts slept in hammocks.[26] The distinction between those in the chain gangs and the overseers from the rest of the convict population, then, were the most significant divisions.

Clothing issued to convicts by the government

The Board of Ordnance were the English government department responsible for supplying clothing for the convicts in government care during the 1830s, having assumed the responsibility from the Board of Admiralty in the preceding decade.[27] At its most basic level this clothing consisted of a jacket, trousers, a waistcoat, a striped cotton shirt, shoes, a woollen or leather cap or hat and a handkerchief.[28] There were minor variations to this standard – overalls, trousers that buttoned up along the side seam, were issued in the place of trousers, particularly for men in chain gangs, and frocks were used in the place of jackets, usually for summer in cases when supplies of jackets were limited.[29] Issues of clothing were scheduled to happen twice a year: a winter issue on 1st May and a summer issue on 1st November, although, as much of the clothing supplied during this period was still transported from England, delays in shipping often led to challenges meeting these issues.

Fabric

Choice of fabric for jackets, trousers and waistcoats was the main difference between summer and winter clothing, with the summer issue generally being made from cotton and winter being made from wool. Beyond these very broad guidelines the variety of fabric used for convict clothing was vast. In a letter from the 5th February 1834, Secretary for the Office of Ordnance Richard Byham

[25] Kerr, p. 54.
[26] ibid, p. 39; p. 54.
[27] Maynard, p. 21; 28.
[28] Handkerchief here refers to a piece of cloth worn around the neck and used to wipe the face.
[29] The National Archives, Long Papers, bundle 806: New South Wales and Van Diemen's Land: clothing and stores, T 1/4348, *Patterns for Convict Service at New South Wales and Van Dieman's Land proposed to be adopted for future supplies.*

responded to a request for information on what 'slop clothing' could be supplied from England for use in New South Wales, with 'eight patterns of cotton and woollen materials' – four cotton and four woollen.[30] This includes prices for cotton 'corduroy', 'fustian', 'drabbet' and 'beaverteen' jackets and trousers, lined and unlined, as well as blue and grey undressed cloth jackets and trousers, lined and unlined, and 'red baige' and 'serge woollen shirts'.[31] This is just a small snapshot of the variety of fabrics discussed in relation to government-issued convict clothing, however it helps to demonstrate the lack of specificity and, therefore, uniformity when it came to fabric use.

In most of the remaining demands for clothing, fabric is not specified, indicating that consistency in fabric weave or type was not considered particularly important, as long as it was of a reasonable price and hardwearing enough to last until the next issue. In addition to this, as Margaret Maynard acknowledges, providing clothing to convicts was an immense task, with over 80,000 convicts being transported to New South Wales during its era of transportation.[32] Despite the vast majority of convicts being assigned to private service, the task of providing clothing for those working in the government service was still a mammoth one, and limiting the types of acceptable fabric would only serve to make the commission of such clothing even more difficult.[33]

Colour

The apparent lack of consistency between the fabric used, however, does not mean that the clothing issued to convicts was random. While items such as shoes, caps, shirts, and handkerchiefs were the same across all class of convict, jackets, trousers and waistcoats were highly coded items throughout this period, with requests for new clothing or discussion around remaining stores frequently specifying the colour of these items. As the most prominent elements of the uniform, issuing different classes of convict different colours ensured the hierarchy of convicts was immediately

[30] TNA, T 1/4348, *Letter from the Office of Ordnance to the Treasury, 5th February 1834*.
[31] ibid.
[32] Maynard, p. 28.
[33] Hughes, p. 283.

obvious, regardless of any slight differences in fabric or pattern that might occur. Grey fabric was predominantly used for first- and second-class convicts, although yellow fabric was also used for this class of prisoner,[34] while yellow and black parti-colour clothing was issued to men in the chain gangs.[35] Blue cloth was used for convicts employed as 'overseer constables'.[36]

The quantities of each colour of jacket issued demonstrates the hierarchy they were intended to represent. The number of blue jackets supplied in the 1830s is consistently considerably less than the numbers of grey, yellow and parti-colour clothing issued, again signalling that overseer was an elite position afforded to only a few convicts. A statement of clothing issued for 'service of Convicts in New South Wales per requisition from the Lords of the Treasury dated 30th September 1837' recorded the issue of 4,508 grey woollen jackets and 1,111 parti-colour jackets, while only 100 blue cloth jackets were issued.[37] In a similar record for 11th December of the same year 5,000 grey woollen jackets were issued along with 1,400 parti-colour jackets, and again only 200 blue cloth jackets.[38] Although it is impossible to create a conclusive image of the quantities of different types of clothing issued, both the distinction of jacket by colour in these statements and the consistent difference in quantities of each type of clothing indicates that colour was a conscious indicator of a convict's class and role within the government works.

[34] John Bigge notes comments that a majority of the convict clothing arriving was made from a 'coarse yellow cloth', which was not as strong as the grey fabric previously used, but 'possessed the advantage of being conspicuous. Despite this, the continued issue of both grey and yellow clothing for first- and second-class convicts into the 1830s suggests that it was not intentionally adopted to make these convicts more conspicuous (*Report of the Commissioner of Inquiry into the State of the Colony of New South Wales*, (Great Britain: Parliament, House of Commons, 1822), p. 61).

[35] TNA, T 1/4348, *List of Patterns for Convict Service at New South Wales and Van Dieman's Land proposed to be adopted for future supplies.*

[36] TNA, T 1/4348, *Letter from the Office of Ordnance to the Treasury, 19th April 1837.*

[37] TNA, T 1/4348, *Clothing issued from the Tower for service of Convicts in New South Wales per requisition from Lords of the Treasury dated 30th September 1837.*

[38] TNA, T 1/4348, *Clothing issued from the Tower for service of the Convicts at Sydney, New South Wales per requisition from the Lords of the Treasury dated 11th December 1837.*

Overseer Constables

The comparatively small number of blue jackets is curious considering the prevalence of blue for convict clothing during the previous decades. Indeed, according to Maynard the shift from blue to predominantly grey or yellow did not occur until the 1820s.[39] Throughout the early nineteenth century blue also remained a popular choice for free working men, as well as standard issue for convicts. In her analysis of newspaper trends in 1830s New South Wales Paula Jan Byrne suggests that blue cloth jackets in particular became more popular during the 1830s, with 227 press references in 1830 and 858 in 1839, according to the Trove online database.[40] There are some clear limitations to this conclusion - the proportion of newspapers that have been digitised and uploaded into the database from these years is unknown; it is difficult to know the accuracy of this conclusion without understanding the context around every use of these words; and it was fairly frequent for articles to be repeated multiple times, particularly in the case of advertisements. Despite this, however, what Byrne's study does suggest is that blue cloth jackets were in public use beyond their issue for the convicts in the public works.

In response to the prevalence of blue in free settler society, Maynard has argued that 'it seems clear that any differentiation that did exist in convict clothing must have been in the quality and fit of garments, not simply colour', while acknowledging that this contradicts Linda Young's argument that 'in establishing uniformity in penitential punishments, the colour, rather than the cut, of the convict suit was the most obvious indication of the wearer's status.'[41] Instead, she argues that the short length of the jacket distinguished the wearer as a convict, following a 1832 decree that convicts should not be permitted to wear long jackets.[42] As Maynard herself points out, however, short jackets were also associated with free working men, which equally casts doubt on its role as a

[39] Maynard, pp. 20-21.
[40] Paula Jane Byrne, 'Clothing, Emotion and Consumption in Colonial New South Wales', *TEXTILE*, 0.0 (2021), 1–26, p. 10.
[41] Maynard, p. 16; in reference to Young.
[42] Maynard, p. 16; Young, p. 82.

sartorial signifier of convict status.[43] I would argue that in focusing so heavily on what marks the wearer out as a convict, the importance of colour as a marker of hierarchy *within* the convict system has been overlooked. The use of blue jackets for convict overseers, then, served to separate them as the highest class of prisoner from the rest of the convicts, rather than to draw the distinction between convict and settler.

In their overview of class structure during the earliest decades of the colony, Raewyn Connell and Terry Irving propose three social classes: the top class consisting of officers, usually with a military background who 'considered themselves gentlemen'; the second of supervisors with lower salaries, such as tradesmen and clerks; and the lowest class consisting of the overseers of convict gangs.[44] It is significant that here the overseers are not classed with the rest of the convicts, who do not even register as part of the hierarchy, but rather are categorised as the lowest class of 'free society', supporting the idea that the distinction between overseer and convict was more significant than that between overseer and free working class man. Considering this, then, the issue of the blue cloth jackets specifically for overseers may be precisely *because* of its similarity to the clothing worn by those workers who were not imprisoned, mimicking the sartorial style of the free settler to demonstrate a convicts' good character.

Cost

Although the colour of the different jackets is specified, design beyond this was not of great importance to the government. In response to a request for 250 blue cloth jackets for the year 1837/8 the Board of Ordnance 'proposed to supply the […] Jackets from a quantity returned into Store from St Helena […]. The collar to be made plain Blue, and the Buttons to be changed from a Common white one with a crown thereon.'[45] Although a degree of customisation would be needed in order to be deemed suitable for convict use, ultimately consistency was not necessarily a priority

[43] Maynard, p. 16.
[44] Connell and Irving, p. 36.
[45] TNA, T 1/4348, *Letter from the Office of Ordnance to the Treasury, 19th May 1837.*

between the issues of convict clothing. As long as the garments were able to correctly signify convict class and were available in the necessary quantities demanded, the cheapest and most convenient method of fulfilling the requirements for the colony were deemed acceptable.

The importance of distinguishing between these different classes, however, is made obvious by the distinction in price between the different garments, where records of bulk supplies are still available. In the statements from 30th September and 11th December 1837, grey woollen jackets are priced at 3 shillings 11 pence and 3 shillings 10 ¾ pence apiece respectively; parti-colour jackets at 4 shillings 3 ¾ pence and 4 shillings 2 ¾; and blue cloth at 4 shillings 4 ¼ pence and 4 shillings and 7 pence.[46] One of the most costly items across the two lists are the parti-colour overalls for use of men in the chain gangs, at 5 pence 5 shillings for the 30th September requisition and 4 shillings 11 ½ pence for the 11th December.[47] The only item that is more expensive per piece on the two statements is 100 great coats, which cost 15 shillings each. Considering that the number supplied was the same as the blue cloth jackets, however, it seems reasonable to assume that these were also for the overseers.

Distinction between different classes of convict, then, also took precedence over saving money. Although the quantities of clothing for convicts in the chain gangs and overseers were considerably smaller than that purchased for the first- and second-class convicts, considering the immense quantities of clothing needed for all classes, the extra expense of providing different clothing in this way would have been significant. It is clear, therefore, that despite the challenges in providing consistent clothing to convicts employed in the government works, the creation of a uniform to reflect the hierarchy of the convicts was important to the government during this period.

[46] TNA, T 1/4348, *Clothing issued from the Tower for service of Convicts in New South Wales per requisition from Lords of the Treasury dated 30th September 1837;* TNA, T 1/4348, *Clothing issued from the Tower for service of the Convicts at Sydney, New South Wales per requisition from the Lords of the Treasury dated 11th December 1837.*
[47] ibid.

Design changes to government-issued convict clothing throughout the 1830s

The correspondence between the Office of Ordnance and the Treasury during the 1830s reveal several conscious design changes throughout the decade, and closer examination of these changes help to reveal the priorities and considerations of the government when supplying clothing. These letters demonstrate conscious design decisions being made and approved, as well as the creation and evolution of certain design specifications that convict clothing was intended to meet.

Shoes

One of the clearest examples of this is the issuing of shoes, which was a continuing problem from the earliest days of the colony. In a letter from 10th July 1788, less than two months after the First Fleet arrived in New South Wales, Governor Arthur Phillip wrote to the Board of Admiralty (who were at the time responsible for supplying stores to the colony) that 'before any supplies can be sent out most of the people will be without shoes, the *most necessary article*' [emphasis added].[48] In an 1829 report commissioned by the War and Colonial Office, it is suggested that the materials for shoes, as well as their making, should be commissioned in New South Wales as 'the Leather manufactured in the Colony is more durable than that imported from England, which seems to suffer from the Climate', as well as being available more cheaply. The report also proposes an

> increase [in] the number of Shoe-makers employed in Hyde Park Barracks to thirty, that Establishment will be able to furnish 7,000 out of the 11,110 pairs of Shoes required; - and the Board conceive that the remaining 4,110 Pairs can be advantageously purchased in the Colony, as the last Contract price was only 4/4 per pair.[49]

[48] *Historical Records of Australia*, ed. by Frederick Watson, 33 vols (Sydney: Library Committee of the Commonwealth Parliament, 1914), i, p. 63.
[49] TNA, T 1/4348, *Report of Board appointed by the Colonial Secretary's Letter of the 6th March 1829 for the purpose of examining and revising the abstracts of Requisitions for Supplies prepared by the Deputy Commissary General for transmission to England.*

Both cost and durability are priorities in the supply of shoes here and, according to the subsequent report in 1830, these changes were promptly adopted.[50]

By 1834, however, the conclusion had been drawn that the shoes being issued were still of inadequate quality, despite having 'been quite equal to the pattern, which pattern is precisely similar to the shoe worn by the army previously to the introduction of the ankle boot, and inasmuch as the shoes undergo a more rigid inspection – more particularly since the plan of leaving the edges of the soles emblacked has been adopted – they are superior to the army shoes.'[51] Two solutions to this problem were proposed: issuing shoes more frequently – six times per year, instead of three times for men in barracks and four for those in the chain gangs – or the issuing of a new 'somewhat more expensive' pattern of shoe that was more durable.[52] The latter was chosen and within four months the Board of Ordnance had prepared two different shoes – one strengthened by rods and the other strengthened by hobnails – to be trialled in the colony.[53] These new shoes were estimated to cost 6 pence more than the previous shoes, which had cost 4 shillings 5 ¾ pence each at the last issue.[54]

Both hobnailed and brad-nailed shoes are listed in a 1837 record of clothing supplied for convicts in New South Wales, suggesting that the hobnail strengthened shoes were found to be more durable following this trial.[55] Although it is difficult to say whether price was the primary motivator in the decision to change pattern, rather than increasing issue frequency, it is clear that both price *and* quality were key considerations in the decisions concerning what clothing should be issued to the convicts in the government works. In this way, it is evident that the Board of Ordnance were not

[50] TNA, T 1/4348, *Report of a Board appointed by the Command of His Excellency the Governor, through the Colonial Secretary letters of 1st January last, for the examination of the Requisitions from the several Departments for Stores and Materials required for the service of the year 1830.*
[51] TNA, T 1/4348, *Letter from the Office of Ordnance to the Treasury*, 2nd July 1834.
[52] ibid.
[53] TNA, T 1/4348, *Letter from the Office of Ordnance to the Treasury, 29th October 1834.*
[54] ibid.
[55] TNA, T 1/4348, *Clothing issued from the Tower for service of convicts in New South Wales per requisition from the Lords of the Treasury dated 30th September 1837.*

merely issuing the cheapest and most convenient clothing they could find. Instead, there was a recognition that specifically designed elements of the clothing could be use to solve, or at least ease, supply issues in the colony and an attempt to intervene in the commission and supply of items in order to ensure that these specifications were met.

Clothing

On 20th October 1837 the Ordnance Board discussed changing the pattern of convict clothing, having received a new pattern, which resulted in 'improvements in the make of the Garment which [were] generally calculated to fit the wearer better than the present Patterns', as well as the proposal for 'some alterations in the Materials calculated to meet the changes that have been made in the manufacture of certain of the articles since the original patterns were introduced'.[56] These new patterns were approved for use in the following year, however there are some aspects of this design change that are worth exploring in further detail.[57]

Firstly, the mentions of an 'old' and 'new' pattern, and the necessity of getting approval for the change, suggests a certain homogeneity between the clothing that was being issued by this period. Secondly, the only characteristic of these new patterns that was mentioned in the correspondence is that the fit would be improved, which seems a curious motive for a design change to convict clothing. It is possible that a better fit would wear less quickly, and it is specified that the alterations would come at no extra expense, however, the design change is not linked to durability in the same way as it was with the shoes in earlier years.[58]

Finally, there was some initial debate about whether the patterns should be approved, as there was 'no objection to the projected change unless it be that the grey cloth may resemble too much the undress of soldiers.'[59] This fear is allayed by the assurance that 'the grey color [sic] of the garments is

[56] TNA, Board: Minutes, 11-20 October 1837, WO 47/1768, pp. 11,188-11,190.
[57] TNA, T 1/4348, *List of Patterns for Convict Service at New South Wales and Van Dieman's Land proposed to be adopted for future supplies.*
[58] TNA, T 1/4348, *Letter from the Office of Ordnance to the Treasury, 31st January 1838.*
[59] TNA, T 1/4348, *Letter from Downing Street to the Treasury, 19th March 1838.*

similar to that one time worn by the army for trowsers [sic] only; but that color [sic] has ceased to be used for some years' [emphasis in original].[60] This exchange demonstrates a desire for convict clothing to be distinct from other clothing, or at least other forms of uniform, worn in the colony, therefore signalling the emergence of a distinct *type* of convict clothing, even in the more inconspicuous grey uniforms.

Parti-colour clothing

One of the most discussed types of Australian convict clothing is the parti-colour suit, sometimes referred to as the colloquial 'canary' or 'magpie' suit, due to its distinctive pattern of contrasting light (white, or more commonly yellow) and dark (grey or black) panels.[61] Unlike the somewhat unassuming design of the convict clothing previously discussed, parti-colour clothing was distinct. Designed specifically for the lowest class of convict - those locked in iron chains - it acted both as a practical means of control, a conspicuous uniform that minimised any possibility of escape, and as a psychological means of punishment, forcing the wearer into humiliating attire that marked him out as an outsider and criminal.[62] Considering the importance and complexity of what parti-colour clothing was to signify, its uniformity and coherency was particularly important in relation to other contemporary convict clothing. When exploring convict clothing as uniform in this context, then, a somewhat more considered analysis of parti-colour and clothing as punishment is warranted.

During the late eighteenth and early nineteenth century there was a shift in both public opinion on convict punishment and the prison systems themselves. Punishment became a moralising tool to help rid a criminal of their perceived criminality and integrate them back into society, rather than a physical repercussion that was tailored to the crime committed.[63] Instead it focused on the character

[60] TNA, T 1/4348, *Letter from the Office of Ordnance to the Treasury, 9th April 1838.*
[61] Linda Clark and others, 'More than Magpies: Tasmanian Convict Clothing in Public Collections', *Historic Environment*, 24.3 (2012), 50–57; Maynard, p. 21; Peoples, p. 125; Young, p. 76.
[62] Peoples, p. 127; Young, p. 82.
[63] Michel Foucault, *Discipline and Punish: The Birth of Prison*, trans. by Alan Sheridan, 2nd edn (London: Penguin, 1991).

of the convict, rather than simply seeking retribution for the evil of the crime committed and the focus on applying physical pain to the body moved to the soul.[64] Public spectacle also became a less important aspect of punishment, as it could no longer be concentrated into an event that facilitated this kind of participation. Instead, the perceived moral character of a prisoner themselves dictated the severity of their sentence and the punishment that they received.[65]

Attitudes to punishment in 1830s Australia

The penal colonies in Australia were no exception to these changing attitudes.[66] Although often characterised by its harsh punishments and brutal conditions, several academics have noted changes in punishment and legal proceedings during the 1820s and 1830s that indicate changing attitudes towards convict discipline in contemporary New South Wales.[67] In his exploration of capital punishment, Tim Castle identifies a sharp decline in death sentences in 1836, which he believes 'was a consequence of decisions made from below, by victims, witnesses and juries' who 'were influenced by enhanced feelings of security and personal safety at the time […] compared to the public concerns about crime and violence that characterised the preceding decade.'[68] He also refers to 'a change in public attitudes', which no longer justified physical violence as a method of control, but rather preferred 'a more civilised approach to maintaining social order in the colony.'[69]

David Andrew Roberts notes similar motivations in his exploration of the passing of the 1832 Punishment and Summary Jurisdiction Act in New South Wales. Following instances of single magistrates abusing their power to issue harsh punishments for relatively minor misdemeanours,

[64] Foucault, p. 44.
[65] ibid., pp. 100-101.
[66] Katrina Alford, *Production or Reproduction?: An Economic History of Women in Australia, 1788-1850* (Melbourne; Oxford: Oxford University Press: Oxford University Press, 1984), p. 84.
[67] Tim Castle, 'Watching Them Hang: Capital Punishment and Public Support in Colonial New South Wales, 1826–1836', *History Australia*, 5.2 (2008), 43.1-43.15; Connell and Irving, p. 34; David Andrew Roberts, 'The "Illegal Sentences Which Magistrates Were Daily Passing": The Backstory to Governor Richard Bourke's 1832 Punishment and Summary Jurisdiction Act in Convict New South Wales', *The Journal of Legal History*, 38.3 (2017), 231–53.
[68] Castle, p. 43.10.
[69] ibid., p. 43.11.

the Act aimed to clarify the powers and jurisdictions of these magistrates. This included limiting the number of lashes that could be sentenced and prohibiting transportation for magistrates sitting in petty sessions or acting alone.[70] One of the main aims of the Act was 'to substitute labour in irons on the public works for transportation to penal settlements.'[71] Although Roberts characterises this as a move to 'alter magisterial sentencing patterns so that convicts were channelled into more centralized and cheaper spheres of labour', it also supported the general trend away from excessive corporal violence towards a more controlled, organized system of punishment.[72] This is also significant as parti-colour clothing was specifically assigned to convicts who were sentenced to 'labour in irons' or work in chain gangs, and therefore implemented directly as part of an alternative punishment to transportation to a secondary penal settlement.

[70] Roberts.
[71] 'Circular to Magistrates, 24 Sept. 1832', *Sydney Morning Herald* (29 Oct. 1832), p. 5, quoted in Roberts, p. 251.
[72] Roberts, p. 252.

Parti-colour clothing as punishment

Parti-colour clothing was introduced in 1814 by Governor Lachlan Macquarie for 'convicts found guilty of serious offences' 'in order to brand their ill conduct with a public mark of disgrace, and to better distinguish them from the better behaved.'[73] Although remaining examples are fairly consistent across both time and location, some design changes were made during the uniform's issue.[74] In 1832 the Commissariat Office in Sydney requested that the parti-coloured trousers for the convicts in chain gangs 'be made to button down the sides […] the Prisoners finding it impractical to draw the common made Trowsers [sic] without open seams, over their leg Irons.'[75] The 1837 discussion surrounding the changes to the pattern of convict clothing in order 'to fit the wearer better', also likely affected parti-colour clothing, however this is not specified.[76] These were changes largely made in the name of practicality, however, with the humiliating parti-colour design remaining fairly consistent.

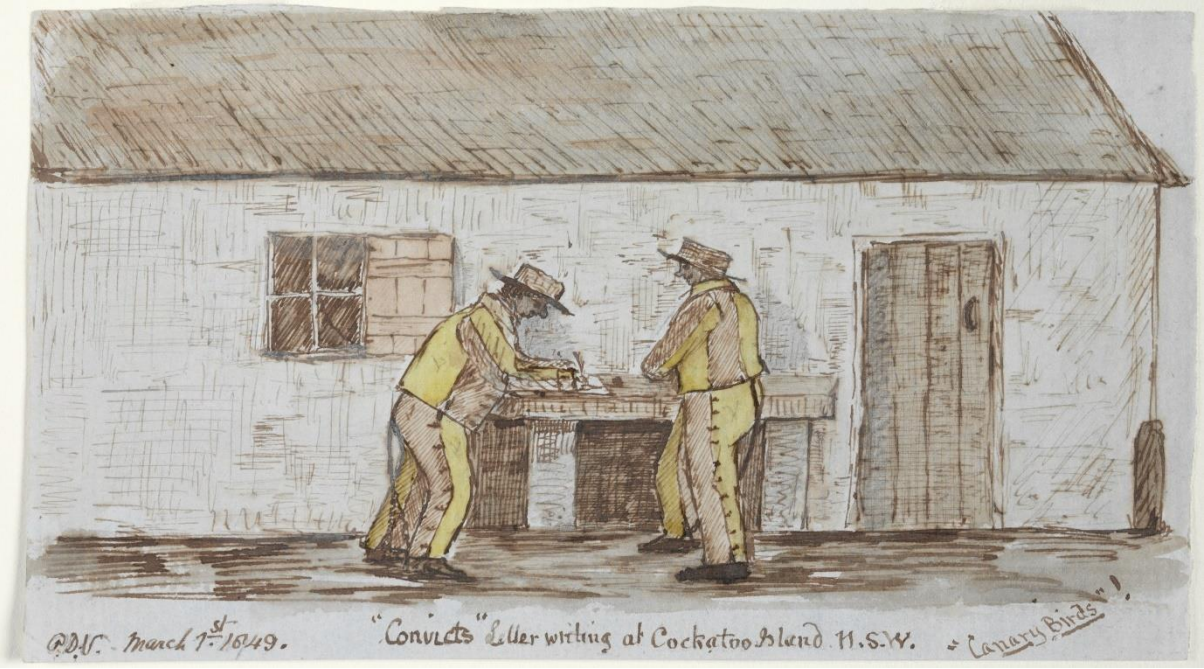

Figure 1: Convicts Letter writing at Cockatoo Island N. S. W. "Canary Birds*, by Philip Doyne Vigors (1849)*

[73] J. T. Campbell, 'Government and General Orders', *Sydney Gazette and New South Wales Advertiser* (Sydney, 10 September 1814), No. 561, p. 1.
[74] Linda Clark and others, p. 50.
[75] TNA, T 1/4348, Letter from Commisariat Office, Sydney, New South Wales, 15th November 1832.
[76] TNA, Board: minutes, 1837, 1837 11-20 Oct, WO 47/1768, p. 11,188.

During its initial introduction parti-colour uniform was black and white and was required to be worn at 'all times during the time they [were] sentenced for.'[77] By at least 1834 the uniform had shifted to the yellow and black now seen in museum collections, in an effort to 'make it as conspicuous as possible'.[78] Although yellow and black appears to be the most commonly discussed combination in academia, as well as that most commonly depicted in contemporary art (figure 1),[79] an 1835 call for suppliers only specifies 'one-half of the Cloth to be either, Black, Oxford Mixture, or Dark Grey; the other half of any Light Color, but Yellow would be preferred'[80], suggesting that it was not necessarily the colours, but the parti-colour pattern itself that gives the uniform the intended humiliating effect.

[77] Campbell, 'Government and General Orders', *Sydney Gazette* (10 September 1814), p. 1.
[78] 'Sydney Gazette', *Sydney Gazette* (2 August 1834), No. 2474, p. 2.
[79] Clark and others, p. 50; Maynard, p. 21; Peoples, p. 125; Young, p. 82.
[80] James Laidley, 'Government Gazette Tenders and Contracts', *New South Wales Government Gazette* (Sydney, New South Wales, 24 June 1835), 173 edition, p. 451.

Figure 2: Parti-colour woollen convict jacket (front, closed)

Figure 3: Parti-colour woollen convict jacket (back)

Figure 4: Parti-colour woollen convict jacket (front, open)

Figure 5: Parti-colour woollen convict waistcoat (front)

Figure 6: Parti-colour woollen convict waistcoat (back)

Figure 7: Parti-colour woollen convict trousers

Parti-colour clothing in museum collections

According to a 2012 study by Linda Clark et al. four pairs of parti-colour trousers remain in Australian collections, along with sixteen convict waistcoats and seventeen convict jackets, some of which are parti-colour, although they do not specify the amount. [81] These items are made from woollen cloth, although requests for parti-colour clothing made from duck (a heavy, woven cotton) and linen indicate that a wider variety of fabrics were employed for parti-colour clothing. In an 1835 call for tenders 'coarse Woollen cloth' is specified as being suitable for 'winter clothing for the ironed gangs', pointing to a variation between fabrics across the seasons, as has been previously seen for other classes of convict.[82] Due to the increased resilience of wool in comparison to cotton, however, these items of summer issue no longer remain.[83]

Clark et al. describe the trousers as being carefully made 'probably by a skilled seamstress or tailor', with pairs having 'drop fronts, waistbands and a gusseted seat with the waist being slightly higher at the back than the front' and buttons that are usually made from bone. They have slightly tapered legs and the crotches of some pairs are lined with linen or cotton.[84] The waistcoats and jackets, on the other hand, are crudely made, largely from hand, with six enamelled buttons and stand up collars that narrow towards the front.[85]

One of the most complete examples of parti-colour clothing is held at the National Library of Australia, consisting of the complete jacket (figure 2, 3 and 4), waistcoat (figure 5 and 6) and trousers (figure 7). As with many of the remaining examples, the quality and completeness of the garments indicate that it was never issued, although it still gives a valuable insight into the clothing that was used.[86] Although the exact date of the uniform is unknown, it is assumed to be from the

[81] Clark and others.
[82] Laidley, 'Government Gazette Tenders and Contracts', *NSWGG* (24 June 1835), p. 451.
[83] TNA, T 1/4348, Letter from Commissariat Office, Sydney, New South Wales, 15th November 1832; Letter from Office of Ordnance, 10th July 1833.
[84] Clark and others, p. 51.
[85] ibid., p. 52.
[86] ibid., p. 56.

1830s or 1840s. The buttons on the side of the legs of the trousers, however, demonstrate that they were made after the pattern change requested by the Commissariat Office in 1832. As with a majority of remaining parti-colour clothing the uniform is likely to be from Tasmania, however considering that parti-colour clothing was fairly consistent across the different Australian colonies, these garments are still valuable when considering convict clothing in New South Wales.[87] As with the items issued to convicts of all classes, the garments are unlined, having 'never been considered necessary for these strong Jackets and Trowsers [sic]'.[88] The specification of Paramatta cloth also suggests that these garments were produced in Australia, rather than imported from England.[89]

Broadmarks

An element of the design which is worth drawing attention to briefly is the appearance of the arrows on the trousers. These marks are one of the most referenced signifiers of convict clothing in both academic discussion and contemporary visual representations of convicts (discussed further in chapter three).[90] Beyond the arrow mark, PB (Prisoner's Barracks) and CB (Carter's Barracks) were also used for convict clothing in Sydney, with BO (Board of Ordnance) also being used across various penal settlements.[91] The diversity in symbols between colonies and the lack of mentions of these markings in the government correspondence suggests that they were added in the colony and were more specific to individual settlements. The lack of these marks on the jacket and waistcoat both suggests that either markings were applied just before issue, or that these garments were made as samples, again pointing to the likelihood that they were never issued. It is also possible, considering that one of the main reasons for adding these markings was to prevent convicts from selling their clothing, that the distinctiveness and humiliating conspicuousness of the parti-colour clothing

[87] Clark and others, p. 50.
[88] TNA, T 1/4348, 'Letter from the Office of Ordnance to the Treasury, 5th February 1834'.
[89] Maynard, p. 21.
[90] ibid; Clark and others, p. 50; Ash, *Dress Behind Bars,* p. 19.
[91] Maynard, p. 21.

prevented this being a problem and thus the consistency of the markings across these garments was considered less important.

Parti-colour uniform as designed humiliation

Although prison uniforms are often employed to add to a convict's punishment and humiliation, this is rarely referenced in wider discussions surrounding uniform.[92] While a range of uniform types are generally consulted in these discussions, usually with a heavy focus on military, work and work/school uniforms, prison uniforms are often overlooked.[93] Therefore, while more widely applicable themes of control and organisation through uniform are often explored, punishment and humiliation as a design consideration is almost exclusively relevant to the infrequently explored prison uniform.[94] This invites wider questions as to *how* these ideas, which are normally associated with an action being inflicted upon someone, be that physically or psychologically, can be translated into the medium of clothing.

Conspicuousness

A specified design element of parti-colour convict clothing was its conspicuousness.[95] Michel Pastoureau suggests that, in the medieval period, stripes were a common marker of disorder and criminality, as the combination of two colours in a pattern symbolised 'the very idea of trouble, disorder, noise, and impurity'.[96] Increased mechanization of thread and cloth production in the late 1700s, however, along with the invention of machines such as James Hergreaves's spinning machine, Samuel Cromption's mule-jenny, and Joseph-Marie Jaccquard's loom meant that striped fabrics were becoming more commonplace in wider society.[97] Stripes became fashionable during the early 1800s, with these new technological developments meaning that it was available in a wide range of

[92] Ash, *Dress Behind Bars,* p. 5.
[93] Craik; Fussell; Joseph.
[94] Ash, *Dress Behind Bars,* pp. 6-7.
[95] 'Government and General Orders', *Sydney Gazette* (2 Aug 1834), p. 2.
[96] Michel Pastoureau, *The Devil's Cloth: A History of Stripes and Striped Fabric*, trans. by Jody Gladding (New York; Chichester, West Sussex: Columbia University Press, 2001), p. 25.
[97] Pastoureau, p. 54.

fabrics, to people across all social classes.[98] The prevalence of stripes in earlier convict clothing and in the striped shirts issued to convicts supports Pastoureau's argument that some of the negative connotations surrounding stripes prevailed during these later centuries, despite its growing popularity in public. What this popularity does cloud, however, is the conspicuousness of these connotations. With stripes becoming a common sight, not only in clothing, but in furnishings and decoration, they were no longer enough to mark out and bring humiliation to the most insubordinate and ill-behaved criminals. The use of parti-colour, by contrast, plays on these previous associations with combining colour, in a way that had not entered into popular fashion. In doing so, the government created a uniform that was conspicuous enough to mark the wearer apart from free society, while employing visual codes signifying their poor moral character.

Parti-colour clothing and 'the fool'

Joseph argues that, for uniforms to be deemed successful, they must relate to and reinforce the values or preconceived norms of that group.[99] This raises the question then, of how one would go about designing a uniform for a group that did not yet have a history of sartorial symbolism to fall back upon – a group, for example, such as a colony full of convicts who were often working side-by-side with free labourers in an age when the idea of a convict uniform was still in its infancy and social expectation surrounding what a convict *should* look like was been limited.

The primary association made by both contemporary newspapers and current academics is the similarity of the parti-colour uniform to the image of the medieval jester.[100] Zoe Screti expands on Pastoureau's theory concerning the negative connotations of striped fabric, suggesting that one of the prime reasons for dressing the fool in multi-coloured dress was to 'reflect the uncertainty of a fool's social status' as 'they seemed to transcend social boundaries, almost existing in their own

[98] Ash, p. 39.
[99] Joseph, p. 2.
[100] 'Public Meeting', *Sydney Gazette* (5 May 1835), p. 2; Clark and others, p. 52; Maynard, p. 20; Peoples, p. 128.

hierarchical sphere'.[101] She also speaks to the popularity of yellow when dressing the fool, speaking to its almost opposing associations of renewal and treachery.[102] As Joseph argues, sartorial 'symbols may be so detached from reality as to constitute and autonomous realm of allegory and myth with few ties to original base.'[103] Therefore, despite the difference in temporal context, it is easy to see how these symbolic associations also applied to visually similar parti-coloured convict clothing, signifying the convict as being in a sphere outside established settler society; being considered of treacherous character; as well as someone possibly going through a process of renewal.

A key difference between the parti-colour uniform of the convict and the dress of the jester, however, is that one is worn by a collective who were seen living and working in gangs together, whereas the other is an individual person in a court. Joseph argues that

> as detached individuals, [uniform wearers] are representative of their organization whose existence is implicit behind the uniform and is one of the reasons for the very use of the uniform. In massed formation, individuals no longer function as representatives but instead are submerged components of the organization.[104]

Standing out from traditional contemporary dress, a fool's dress signalled them as an *individual* outside of the court and thus afforded them freedom to express their individuality and opinions, even if that is at their own expense. Adopting these same visual cues in the context of a standardised uniform issued to a large group of men removes this individuality, and thus any freedom associated with the costume. Instead of being an *individual* outside of society, then, convicts in parti-coloured uniforms visually belonged to a homogeneous *class* outside of society, whose defining traits were disruptiveness and treachery.

[101] Zoe Screti, '"A Motley to the View": The Clothing of Court Fools in Tudor England', *Midlands Historical Review*, 2 (2018), 1–16, p. 1; 5.
[102] ibid., pp. 7-8.
[103] Joseph, p. 13.
[104] ibid., p. 82.

By engaging with these associations in the design of this clothing, parti-colour uniforms worked to demoralise and humiliate convicts before the uniform was synonymous with the 'convict' in public imagination. By definition, the men who were assigned this uniform were already suffering from the pain of working in iron shackles, so to commission and issue a uniform designed to further humiliate and distinguish these men demonstrates an understanding of the potential of garments to control and punish, as well as a conscious attempt to employ clothing in this way in the colony.

Conclusion

Three key considerations appear when exploring the government correspondence surrounding the issuing of convict clothing in 1830s New South Wales. Firstly, the quality of the clothing had to be sufficient to withstand the physical demands of daily manual labour for at least six months. Secondly, the price of the clothing had to be low enough for it to be purchased economically in the great quantities required. Finally, the purchased clothing had to be able to correctly convey the class of the convict. This was primarily achieved through issuing various coloured of jackets, waistcoats and trousers to each class of men. Despite this final consideration often being overlooked or downplayed by academics, there is evidence that the government were willing to be more flexible when considering the cost of an item than the colour, especially in the case of overseers and convicts in the chain gangs. The creation of a cohesive uniform for convicts in its care was one of the main priorities for the government during this period, despite possible inconsistencies in fabric or origin.

Closer investigation into parti-colour, in particular, reveals the adoption of certain imagery and associations in order to create a uniform that fulfilled a particular social role, in this case humiliating the wearer and preventing their escape. This demonstrates a recognition for the power of clothing to enforce social structures and erase individuality, and an attempt to harness this in an environment where the role of the convict in society was very fluid. Despite the inconsistencies in issue, then, it is evident that convicts in the government works were issued a uniform that carries

social connotations of status and, thus in the context of a penal settlement, moral character, despite the apparent diversity among their dress.

Chapter 2: Importing convict clothing and the New South Wales market

Despite understanding the power of creating a cohesive uniform for convicts, as well as taking steps to implement this, the Commissariat often faced challenges, which impeded their attempts to secure uniform clothing, and it is these challenges that are often stressed in discussion around contemporary convict clothing.[1] There were approximately eighteen months between requisitions being sent from Australia and shipments of clothing arriving, so it was incredibly difficult to correctly estimate the quantities of clothing that would be required, as well as how many men would be in each class by the time of issue.[2] In addition to this, frequent delays in supplies arriving from England meant there were several occasions where the Commissariat were forced to buy large quantities of convict clothing unexpectedly from merchants in New South Wales, forcing a divergence from the patterns approved by the Ordnance Office and Treasury.

In order to reduce the disruption caused by these issues, there was a push by the British government offices to transfer the purchase of clothing to the local colonial market on a more permanent basis.[3] Through the beginning of the nineteenth century Australia was seeing a shift away from its penal origins towards an increasingly privatised free society.[4] According to Noel George Butlin three of the main actors in affecting the development of the Australian economy during this period were the British Colonial Office, who had their own criteria as to what constituted the development of the colony; the local colonial officials, who had to negotiate between the instruction of the British government and local pressures; and the Australian 'private sector', which included both free settlers and the officials themselves.[5]

[1] Margaret Maynard, *Fashioned from Penury: Dress as Cultural Practice in Colonial Australia*, Studies in Australian History (Cambridge; Cambridge University Press, 1994), pp. 9-26; Linda Young, 'The Experience of Convictism: Five Pieces of Convict Clothing from Western Australia', *Costume,* 22.1 (1988), 70-84, p. 76;
[2] TNA, T 1/4348, 'Letter from the Commissariat Storekeeper to the Office of Ordnance.'
[3] TNA, T 1/4348, 'Letter from the Treasury to Commissariat Office, 3rd December 1832.'
[4] N. G. Butlin, *Forming A Colonial Economy, Australia 1810-1850* (Cambridge: Cambridge University Press, 1994), pp. 107-136.
[5] ibid., 122.

In the earliest years of the colony, when a vast majority of the population were convicts, the government had overwhelming control, however as free settlers began to arrive in greater numbers during the 1810s, and convicts were earning their ticket-of-leave, government influence waned and there was a shift in the economic priorities of society.[6] Both the settlers and the emancipated convicts had brought with them largely British ideas surrounding economic practice, as well as British taste, which ultimately dictated market demand.[7] As systems of private land ownership, agricultural opportunities and private gain were developed and convicts began to be assigned to private employment, 'both coerced and free immigration might be seen as, in large measure, the relocation of a form of British society and British economy in Australia.'[8]

Unsurprisingly this shift had an impact on the goods market, and subsequently the acquisition of convict clothing in the colony. In addition to the private market created by free settlers, as the colony developed goods started to be imported by merchants beyond Britain, primarily located in India, further adding to the privatization of the market.[9] Butlin argues, therefore, that 'in the 1830s, the [New South Wales] economy was perhaps more fully private than it had ever been before and was ever to be thereafter, despite massive convict inflows between 1830 and 1840.'[10] Partly in consequence of this, the Commissariat, which was primarily responsible for providing clothing for convicts in the government and had been a dominant government store during the earlier years, 'was insignificant by 1840.'[11] Recognising this shift in the market, the British government became more reluctant to subsidise stores being sent to the colony, putting pressure on the officials in

[6] R.W Connell and T.H. Irving, *Class Structure in Australian History*, 2nd edn (Melbourne: Longman Cheshire Pty Limited, 1992), p. 36; Butlin, p. 121.
[7] Butlin, p. 107; Mark Staniforth, *Material Culture and Consumer Society: Dependent Colonies in Colonial Australia* (New York: Springer, 2003), p. 153.
[8] ibid., p. 108.
[9] Maynard, p. 39; Staniforth, p. 144.
[10] Butlin, p. 121.
[11] ibid., p. 132.

Australia to develop a local system of public financing and supply, regardless of whether the colonial market ready to support these demands.[12]

In addition to purchasing clothing from merchants in the colony, repeated attempts were made to employ convict women to weave cloth and sew convict clothing in the so called 'Female Factory' in Parramatta, where they were kept. An 1829 report revising the requisitions for imported stores suggested that 'as it is desirable to provide Employment for the Females in the Penitentiary at Parramatta the Board have recommended that a sufficient quantity of materials for shirts and summer clothing of the Convicts should be sent from England to be made up here, instead of the ready-made Clothing as formerly.'[13] A year later it was reported that 'the women confined in the Female Factory at Parramatta [were] competent to the making up of all the clothing required by the Convicts in the service of Government, not only of the Winter Clothing made from Woollen cloths, manufactured in that Establishment but of the summer clothing, which has been sent hitherto from England.'[14]

Considering this it is understandable that Katrina Alford argues that by late 1830s, 'the female factory made all convict clothing', however this was not the case.[15] In response to a non-arrival of summer clothing in 1836, secretary to the Board of Ordnance Richard Byham writes that *'in consequence* the Ordnance Storekeeper with his sanction of His Excellency the Governor had purchased through the Commissariat and had made up at the Factory such Articles as were absolutely necessary [emphasis added]', suggesting that by this period the convict women were not typically employed to sew convict clothing.[16]

[12] Butlin, p. 134.
[13] TNA, T 1/4348, 'Report of Board appointed by the Colonial Secretary's Letter of the 6th March 1829 for the purpose of examining and revising the abstracts of Requisitions for Supplies prepared by the Deputy Commissary General for transmission to England.'
[14] TNA, T 1/4348, 'Report of a Board appointed by Command of His Excellency the Governor, through the Colonial Secretary letters of 1st January last, for the examination of the Requisitions from the several Departments for Stores and Materials required for the service of the year 1830.'
[15] Katrina Alford, *Production or Reproduction?: An Economic History of Women in Australia, 1788-1850* (Melbourne; Oxford: Oxford University Press: Oxford University Press, 1984), p. 164.
[16] TNA, T 1/4348, 'Letter from the Office of Ordnance to the Treasury, 22nd May 1837.'

In this instance overalls and shirts were recorded as being made in the factory, while frocks, trousers and fustian overalls were all purchased.[17] The shirts made to fulfil this issue were considered 'in every respect fit for the purpose' of convict clothing and, thus, 'as a saving of the expense to the public and the means of affording employment to Female Prisoners' it was suggested that convicts at the Female Factory should make the shirts for the 1839/40 issue, providing that material could be sent to New South Wales in time for this to be accomplished. In this way, then, despite the acknowledgement that clothing *could* be made by female convicts in the colony, this was primarily exploited on occasions where clothing was not received from England, rather than a consistent system of manufacture.

Consequently, it is understandable that academics have been tempted to overexaggerate the role of domestic purchasing and production in government-issued convict clothing. The correspondence between the Commissariat Office, the Office of Ordnance and the Treasury, however, suggest that this was not the case, with purchases in the colony only occurring 'in consequence to that effect from [England], and upon Requisitions previously received from the Colony', with importing from England being 'the regular mode of obtaining supplies', and large commissions from the Female Factory only occurring in similarly dire situations.[18] Despite pressure from the British government to decrease the quantity of clothing supplied from England, a sustainable system of producing convict clothing in the colony was not established during the 1830s, with these attempts always concluding that clothing purchased in the colony was more expensive and of lower quality.[19]

Disruptions in supply delivery and the non-arrival of clothing

The first major instance of clothing being purchased on the spot during this decade was in 1833, due to the non-arrival of adequate supplies for the winter issue.[20] In the hope of acquiring the remaining

[17] TNA, T 1/4348, 'Letter from the Office of Ordnance to the Treasury 22nd May 1837.'
[18] TNA, T 1/4348, 'Letter from the Office of Ordnance to the Treasury, 7th November 1836'; 'Letter from the Office of Ordnance to the Treasury 22nd May 1837.'
[19] TNA, T 1/4348, Letter from the Office of Ordnance to the Treasury, 9th September 1836.'
[20] TNA, T 1/4348, 'Letter from Commissariat Office to the Treasury, 29th June 1833'.

clothes necessary, an advert was placed in the *Sydney Gazette and New South Wales Advertiser* on 28th February 1833, and then subsequently on 2nd March, stating the need 'for furnishing such quantities of undermentioned Articles of Slop Clothing as may be required, during the year 1833, for the Colonial Service'.[21] The advert listed trousers and frocks made of both factory cloth and duck, check shirts and boots 'made strong as stockmen's' as the required articles and stated that 'it [was] necessary that the Contractor should have always on hand a sufficient number of the Articles which he may engage to furnish, to enable him to comply immediately with a demand for 16 Men.'[22] Unable to fulfil this contract, an advert for the same items of clothing was placed on 2nd April,[23] and then again in all issues of both the *Sydney Gazette* and *New South Wales Government Gazette* published between 24th April and 1st May.[24] A similar notice was also posted in the *Sydney Herald* on 29th April.[25]

Paula Jane Byrne argues that it was typical for advertisements for clothing during this period to specify fabric rather than colour, however the lack of specificity in the advert, as well as the note that contractors must be able to cope with a demand for only 16 men, indicates that there was an accepted level of diversity in the clothing acquired in the colony.[26] Creating a working relationship with the merchants of New South Wales and ensuring prompt issue on 1st May was prioritised over uniformity of design for convicts of different classes.

Despite this, the increased frequency of the advertisements and the variety of the publications carrying the advert towards the 1st May indicates that there was difficulty in fulfilling these

[21] It is worth clarifying that these adverts call for clothing for *all* branches of the colonial service, not just convicts, and thus it may have been considered more convenient to match the contract to the supplies of the merchant. In this way, noting fabric and items required may have been seen as more convenient than listing the different colours or design.
[22] Alexander McLeay, 'Clothing for the Colonial Service', *Sydney Gazette and New South Wales Advertiser* (New South Wales, 28 February 1833), p. 1; (2 March 1833), p. 1.
[23] ibid., (2 April 1833), p. 1
[24] McLeay, 'Clothing for the Colonial Service', *NSWGG* (24 April 1833), p. 144; McLeay, 'Clothing for the Colonial Service', *Sydney Gazette* (25 April 1833), p. 1; (27 April 1833), p. 1; (30 April 1833), p. 1.
[25] McLeay, 'Clothing for the Colonial Service', *Sydney Herald* (New South Wales, 29 April 1833), p. 4.
[26] Paula Jane Byrne, 'Clothing, Emotion and Consumption in Colonial New South Wales', *TEXTILE*, 0.0 (2021), 1–26, p. 10.

contracts. Assistant Commissioner General James Laidley addresses this in a letter sent to the Treasury on 29th June 1833, stating that he was 'compelled to pay for Clothing of far inferior quality and of all descriptions of colors [sic] to enable one fulfil the General issue of those articles to the Convicts' at 'very exorbitant prices', 'occasioned from the want of material from which to make it up and which if even that could have been obtained a state greater difficulty would have existed in getting it made up into clothes.'[27]

Although this suggests he eventually acquired the necessary articles, three key compromises are noted. Firstly, the 'very exorbitant prices' point to an economic priority of providing the clothing as cheaply as was viable, which is to be expected considering the letter is to the Treasury and there was no reason to spend excess money on convict clothing. Laidley also notes that the quality of the clothing purchased was inferior to that expected to be sent from England. Considering issues only occurred twice a year and clothing had to last until the next issue, it is also not surprising that the quality of the garments was considered when purchasing clothing.

Perhaps the most significant note, when considering clothing as uniform, however, is the specification that the clothing was purchased in 'all descriptions of colors [sic].'[28] That this was a key compromise indicates that maintaining consistent colours across convict clothing, or presumably across different classes of convict considering the points discussed in the previous chapter, was also a priority. Disruption in receiving stores from England, difficulties in acquiring large quantities of uniform, suitable quality clothing in Australia, as well as disjointed communication between England and Australia all contributed to the problems in creating a cohesive convict uniform system. As is demonstrated here, however, the lack of consistent design due to these factors should not be equated to an indifference to the design of convict clothing by the government.

[27] TNA, T 1/4348, 'Letter from the Commissariat Office to the Treasury, 29th June 1833'.
[28] ibid.

Building a relationship with local merchants

In an attempt to combat the insecurity that surrounded shipping ready-made clothing from England, both in terms of the uncertainty of ships arriving on time to meet scheduled issues and delivered clothing being unsuitable after its long sea voyage, and in light of the increased privatisation of the Australian market, in 1832 it was suggested that 'the mercantile resources of this colony [were] now fully adequate to meet all the necessary demands of the Public service' and 'that all the stores, and other articles of such description for which it has hitherto been the practice to forward requisitions, should henceforth be purchased in the colony by contract.'[29] In response to this Laidly argued 'it would be attended with considerable risk, to depend entirely on the colony for the supply of clothing for 1835' and 'therefore to submit, that it is most desirable that all the clothing demanded for both years 1834 & 1835 be sent out without any diminution in quantity.' [30] Nevertheless 'with assist of carrying their Lordships devises into effect with respect to contracts [he …] published a notice in the Colonial Gazette […] that [was] intended after the year 1835 to purchase by contract all such articles on the spot, and which [he had] no doubt can be then effected with ease, and at moderate costs.'[31]

Indeed, on 16th October 1833 a notice was posted in the New South Wales Government Gazette that

> it is intended in future to procure by Contract in the Colony, all articles which have hitherto been obtained direct from England for the Service of this Department; viz. Convict Clothing […]. The arrangements already made include the Supply for 1835; from which period the Mercantile Resources of the Colony will be relied on for the purpose.[32]

[29] Butlin, p. 121; TNA, T 1/4348, 'Letter from the Treasury to Commissariat Office, 3rd December 1832', as quoted in 'Letter from Commissariat Office to Treasury, 1st November 1833'.
[30] TNA, T 1/4348, 'Letter from Commissariat Office to Treasury, 1st November 1833'.
[31] ibid.
[32] James Laidley, 'Government Gazette Tenders and Contracts', *NSWGG* (Sydney, New South Wales, 16 October 1833) p. 422.

Merchants interested in fulfilling these contracts were advised to contact the Commissariat Office for quantities and 'other particulars regarding it'.[33] This advert was repeated in *The New South Wales Government Gazette* weekly until 20th November 1833.[34]

The *New South Wales Government Gazette* began in March 1832, with government notices previously having been published in the *Sydney Gazette,* and the first advertisements for 'Tenders and Contracts' appeared in January of the next year.[35] Although after this initial call for tenders advertisements for new contracts were fairly common in the gazette, a majority of these requested food that was required,[36] either for convicts or other groups of people living under government care, such as military troops or mounted police, as well as calls for building supplies, tools[37] and transportation.[38]

The commission of clothing, especially clothing with certain specified design elements issued with the intention of representing a homogenous group, however, was more challenging than the acquisition of, say, the food or building materials that would have also been necessary for free settlers and thus more easily acquirable in the colony. Although design specifications are not mentioned, this preliminary advertisement was intended to somewhat ease the transition between supply routes and to prepare merchants for an influx of contracts for uniform clothing within the next couple of years, which would not have been obtainable without prior warning.[39]

[33] Laidley, 'Government Gazette Tenders and Contracts', *NSWGG* (16 October 1833), p. 422.
[34] Ibid., (23 October 1833), p. 432; (30 October 1833), p. 477; (6 November 1833), p. 467; (13 November 1833), p. 480; (20 November 1833), p. 487.
[35] Sandra Blair, 'The Felonry and the Free? Divisions in Colonial Society in the Penal Era', *Labour History*, 45, 1983, 1–16, p. 7; *NSWGG* (7 March 1832); 'Government Gazette Tenders and Contracts', *NSWGG* (2 January 1833), p. 4.
[36] Laidley, 'Government Gazette Tenders and Contracts', *NSWGG* (13 March 1833), p. 93; (12 June 1833), p. 220; McLeay, 'Government Gazette Tenders and Contracts', *NSWGG* (27 November 1833), p. 491.
[37] McLeay, 'Government Gazette Tenders and Contracts', *NSWGG*, (27 February 1833), p. 74.
[38] Laidley, 'Government Gazette Tenders and Contracts', *NSWGG* (23 October 1833), p. 432.
[39] TNA, T 1/4348, 'Letter from the Commissariat Office to the Treasury, 1st November 1833'.

Compromising between clothing supplied in England and Australia

Despite the difficulties that repeatedly occurred in procuring clothing in the colony, the government were persistent in their efforts to try and reduce the quantities of clothing being sent from England. Recognising the difficulty in creating a sustainable model that allowed *all* necessary clothing to be obtained from the mercantile community in New South Wales, it was decided, in 1835, that half of the required articles would be authorised to be purchased in the colony with the other half being shipped from England for the 1837/8 issue.[40] Purchase of clothing involved a system of action approval, as well as a retroactive review by the Treasury and Board of Ordnance in England. [41] In addition to information about prices paid and quantities purchased, this required a sample of clothing in order to assess that the quality matched the standard of garment supplied from England. As this required sending samples from Australia to England and then awaiting the response, this process was essentially as time-consuming as commissioning clothing in England and waiting for it to be sent over.

On receiving information concerning the estimated cost and tenders required for this issue, on 9th September 1836 the Office of Ordnance concluded that,

> it is not merely disadvantageous to purchase any article of Clothing […] in the Colony of New South Wales; but that it is also frequently impracticable to obtain them there, in sufficient quantities to meet the want of the Public Service; the Market not affording adequate supplies for that purpose and the Colonial prices are not only much higher; but the quantity of the Article is much inferior to that sent from this Country [and that enough] is shown by the list of prices to confirm the previous impression that every article of British Manufacture can be purchased, and sent out by the Government cheaper than by the

[40] TNA, T 1/4348, 'Letter from the Office of Ordnance to the Treasury, 27th July 1835', 'Letter from the Office of Ordnance to the Treasury, 7th November 1836'.
[41] TNA, T 1/4348.

> Merchant; with the additional advantage in the former case that the Articles are of a good description, and *uniform in pattern*, and quality [emphasis added].[42]

Following this conclusion, it was decided that 'for some years to come the greater part of the Articles for the Public Service in New South Wales [could] be most advantageously supplied from' England.[43] Due to the prolonged nature of the communication here, this decision was not reached until the end of 1836, at which stage requisitions for the following year had not yet been received in England.[44] The Ordnance Office, however, did not send any articles to New South Wales until these requisitions were received as

> any Estimate of the probable want of the Colony, which can be formed in [England], must be made upon such conjectural data, that it can scarcely avoid falling at the same time into the opposite ends of Excess and Deficiency; accumulating on the one hand an useless and expensive, as well as perishable stores of many articles, while on the other it fails to provide for some of the most urgent necessities of the Station: - and unnecessary because it is in the highest degree improbable that the Offices whose particular duty it is to foresee, and prepare for all the growing wants of the settlement, would so far neglect that duty, as to fail in transmitting to this Country, the usual Requisitions for Stores, sufficiently soon, to prevent the least inconvenience in that account from being felt in the Colony [emphasis in original].[45]

By the time this decision had been reached, however, there were less than six months until the scheduled issue of 1st May 1837, leaving very little time for the requisition to be received and the necessary clothes to be sent to Australia.

[42] TNA, T 1/4348, 'Letter from the Office of Ordnance to the Treasury, 9th September 1836'.
[43] ibid.
[44] TNA, T 1/4348, 'Letter from the Office of Ordnance to the Treasury, 7th November 1836.'
[45] ibid.

Issues in importing convict clothing during the final years of the decade and the creation of reserve stores

The difficulties and delays in confirming the supplies for the 1837/8 issue contributed to ongoing issues throughout the last years of the decade when similar instances of insufficient clothing being sent from England occurred. In March 1838, supplies of winter clothing once again failed to arrive, without any further information as to when any shipment might be expected or any information concerning possible replacements.[46] According to Assistant Commissioner General William Miller[47] 6,000 'suits of convict clothing' were required, with 3,000 suits of winter clothing being available from remaining stores in the Ordnance stores. This left a deficiency of 3,000 jackets, 3,450 pairs of trousers and 1,100 pairs of shoes.[48]

Once again, the government were required to rely on local merchants, this time advertising for '1,700 pairs of Shoes, 210 Yards of Cotton print, 1135 yards of Serge, 1000 yards of Linsey Woolsey and 712 Cotton Handkerchiefs.'[49] While the shoes and cotton were easily obtainable, 'the other articles [were] not to be found in the Colony, nor any which might issue in lieu of them, and therefore these demands [could not] be supplied until the arrival of the articles for which the Respective Offices have forwarded requisitions to the Board of Ordnance.'[50]

On the 3rd October of the same year the "John McLellar" arrived in Sydney, carrying with it 6,000 shirts and 1,000 pairs of shoes, intended for the summer issue on 1st November.[51] Even so, left a shortage of 2,500 linen frocks, 2,200 pairs of trousers and 3,200 shoes which had to be purchased in the colony.[52] The continued problems in receiving stores from England grew so prevalent this time

[46] TNA, T 1/4348, 'Letter from the Commissariat Office to the Treasury, 30th March 1838'.
[47] William Miller assumed the role after James Laidley's untimely death in 1835.
[48] TNA, T 1/4348, 'Letter from the Commissariat Office to the Treasury, 30th March 1838'.
[49] TNA, T 1/4348, 'Letter from the Commissariat Office to the Treasury, 17th July 1838'.
[50] ibid.
[51] TNA, T 1/4348, 'Letter from the Office of Ordnance to the Colonial Secretary, 3rd October'.
[52] TNA, T 1/4348, 'Letter from Colonial Secretary's Office to the Deputy Commissary General, 4th October 1838', 'Letter from the Commissariat Office to the Treasury, 13th October, 1838'.

that the Treasury finally decided to send an extra years' worth of convict clothing to the colony to act as a reserve store.[53] A reserve store had been requested by the Commissariat following the initial suggestion to purchase clothing for the 1835 issue in the colony, which then 'could either be disposed of by sale to advantage, or retained in charge of the commissariat, in the event of failures on the past of connections, which [were not considered] improbable in adopting this new system of supply.'[54]

Reflective of the government's growing unwillingness to subsidise stores in the colony, these requests were largely ignored as the government offices in England tried to avoid what they deemed to be unnecessary expenditure.[55] By October 1837, however, it had been decided that supplying a year of reserve stores from England was more economic than continuing to endure the 'inconvenience and expense which have frequently been occasioned by the non-arrival of the supplies of clothing before the time when they were wanted for distribution to the convicts'.[56] While the introduction of reserve stores would also have resolved some of the problems with acquiring uniform clothing in the colony, the unwillingness of the British government to fund the supply of clothing beyond what they deemed absolutely necessary only exacerbated the issue and led to more instances of the commissariat being for to purchase clothing 'on the spot'.

Recurring challenges and impact on uniformity

The plan and subsequent failure to ensure that even a portion of the necessary clothes for convicts was regularly obtained from the mercantile community in Australia reveals a complex system of priorities, both in Australia and in England, which made the acquisition of clothing an ongoing challenge throughout the decade. Returning to Butlin's argument surrounding the main actors in the development of the economy in New South Wales, the difference in priorities for the British

[53] TNA, T 1/4348, 'Letter from the Office of Ordnance to the Treasury, 26th April 1839'.
[54] TNA, T 1/4348, 'Letter from the Commissariat Office to the Treasury, 1st November 1833.'
[55] Butlin, p. 134; TNA, T 1/4348, 'Letter from the Office of Ordnance to the Treasury, 7th November 1836'.
[56] TNA, T 1/4348, 'Letter from the Office of Ordnance to the Treasury, 16th October 1837.'

government, the colonial officials, and the private settlers here are clear.[57] Whereas the British government were growing increasingly unwilling to provide supplies for the colony due to the increasing influence of the Australian private market, the merchants and free settlers dominating this market largely catered to the tastes of free settlers or saw the government's clear desperation for clothing as an opportunity to charge extortionate prices.[58] Between these two actors the local officials were often left trying to mitigate between unreliable imports of supplies and high local prices, whilst also trying to balance the necessary demands of quality and uniformity.

These challenges hold implications for the uniformity of clothing issued during this period. In the letter from the Ordnance Office to the Treasury, sent on 9th September 1836, the lack of uniformity in pattern of clothing purchased in the colony is specified as one of the problems with the articles proposed for the 1837/8 issue, demonstrating that this was indeed a concern for the government.[59] It is unclear whether some level of inconsistency between the clothing purchased in the colony and that provided from England was to be expected or whether samples were sent to England in advance with the intention of being replicated, however it is clear that, even in the case of there being enough clothing to purchase in the colony, several merchants would be required to fulfil the order. This led to challenges in ensuring uniformity, even in cases when it might be desired by the government.

Procuring woollen clothing in the colony

One particular recurring problem was the lack of suitable woollen cloth available in the colony. Despite the wide range of articles required, certain items were easier to purchase in the colony than others, especially for the price and quality desired by the government. Woollen garments, in particular, were difficult to procure, despite the importance of exporting wool to the Australian

[57] Butlin, p. 122.
[58] ibid., p. 134; Staniforth, p. 144; TNA, T 1/4348, 'Letter from the Commissariat Office to Office of Ordnance'.
[59] TNA, T 1/4348, 'Letter from the Office of Ordnance to the Treasury, 9th September 1836.'

economy.[60] The commercial export of wool rose from 175,400 pounds in 1821 to 2,000,000 pounds by 1830, then 41,426,655 pounds by 1850.[61] In the colony, however, demand for wool was relatively low, particularly among the working-class, who more commonly purchased clothing made from fustian, which was better suited to the climate year-round.[62] This lack of broader demand created issues for the government when attempting to purchase large quantities of affordable woollen clothing for convicts locally.[63]

Cloth had been woven by imprisoned women at the Female Factory since its inception at the beginning of the century.[64] The woollen cloth manufactured by these women was known as 'paramatta cloth' or 'Factory cloth' and, at the beginning of the decade, was intended to be for government use.[65] By the 1830s, however, this had changed. With an increase in convict women, the weaving of cloth at the Factory decreased, and by 1831 it had stopped altogether, with spinning instead becoming their primary work.[66] The great demand for Australian wool in England had also led to the opening of larger, more professionally run mills, which both increased the quality of the wool being produced and reduced the quantity of wool provided to the Female Factory.[67] These changes meant it was no longer economical to use woollen cloth made in the colony for convict clothing.[68] Thus, any wool acquired from merchants in Australia would have to be sent out from

[60] John Bach, *A Maritime History of Australia,* (London: Hamilton, 1977), p. 20.
[61] ibid., p. 20.
[62] TNA, T 1/4348, 'Letter from the Commissariat Office to the Treasury, 29th February 1836'.
[63] ibid.
[64] Annette Salt, *These Outcast Women: The Parramatta Female Factory 1821-1848* (Sydney: Hale & Iremonger, 1984), pp. 103-4.
[65] TNA, T 1/4348, 'Letter from the Comptroller's Office to the Treasury, 11th December 1833'; 'Report of Board appointed by the Colonial Secretary's Letter for the 6th March 1829 for the purpose of examining and revising the abstracts of Requisitions for Supplies prepared by the Deputy Commissary General for transmission to England.'
[66] Eve Stenning, 'Nothing But Gum Trees: Textile Manufacturing in New South Wales 1788-1850', *Australasian Historical Archaeology*, 11 (1993), 76–87, p. 79.
[67] TNA, T 1/4348, 'Letter from the Comptroller's Office to the Treasury, 11th December 1833'; Stenning, p. 79; P. R. Stephensen, *The History and Design of Sydney Harbour* (Adelaide: Rigby Limited, 1966), p. 296.
[68] TNA, T 1/4348, 'Letter from the Comptroller's Office to the Treasury, 11th December 1833'.

England, incurring the additional costs of tax, shipping and commission, which did not apply to the government imports of the same articles.[69]

Compromising woollen clothing

The difficulty in purchasing wool in the colony resulted in otherwise unnecessary compromises being made. When trying to purchase the woollen clothing necessary for the 1834 winter issue Laidley specified that, due to waiting to purchase supplies until the last moment in case stores arrived from England, the prices of woollen clothing were much higher than would otherwise be expected.[70] Thus, he only purchased 'such part of the warm Clothing offered as was absolutely required for the Mountain Gangs; and in Sydney and its neighbourhood [he] substituted Woollen clothing of a lighter texture'. The key compromise enacted in response to this issue, therefore, was a deviation from the quality of garments issued compared to the imported stores from England, as well as a new distinction made in clothing issued based on the labour of the convicts. This suggests that there was a new sartorial distinction between the convicts working in the mountains and those working in the town, which would not usually occur.[71]

By the end of the decade, such a compromise was no longer acceptable. In 1838, clothing once again had to be purchased in the colony following the non-arrival of winter clothing. Considering the original plan was for half of this issue to be supplied in the colony, on 7th August 1835 the Treasury originally sent a request to the Commissariat Office in New South Wales for samples of the clothing that was to be purchased to meet this issue. These samples were sent to England in the following year.[72] When these samples were received by the Office of Ordnance on 7th July 1836, the samples of woollen cloth, in particular, were considered unsuitable.[73] They were manufactured from 'shoddy', described as 'Woollen Rags reduced by Machinery to the State of Wool, and then respun

[69] TNA, T 1/4348, 'Letter from the Commissariat Office to the Treasury, 29th February 1836'.
[70] TNA, T 1/4348, 'Letter from the Commissariat Office to the Treasury, 28th April 1834.'
[71] ibid.
[72] TNA, T 1/4348, 'Letter from the Commissariat Office to the Treasury, 19th May 1836.'
[73] TNA, T 1/4348, 'Letter from the Office of Ordnance to the Treasury, 9th December 1836.'

and wove into cloth', and 'considered of one half less value than the articles for the same service from England and much less than half as durable.'[74]

Partly due to the delay in deciding that *all* the necessary articles for the 1837/8 issue should be supplied from England, supplies did not arrive in time for the winter issue. In response to this the decision was made to supply 'those in warmer districts of the Colony with duck Clothing in addition of a Woollen Waistcoat, there being a considerable quantity of both in the Ordnance Store.'[75] Miller stated that 'the Jackets and Trowsers [sic] which it was necessary to purchase could not be found of a proper description for the purpose and in the absence of the Woollen Clothing required from England by the Offices of Ordnance it may be considered so many suits remained over from last year without which, it would have been impossible to obtain in the Colony the requisite quantity or anything which could have been substituted in place of it.'[76]

What becomes clear, then, is that despite persistent issues with the supply of woollen clothing, as well as continued efforts to establish a supply chain in Australia, no sustainable method of obtaining woollen clothing of a suitable quality was established during the 1830s in New South Wales. This resulted in compromises in the clothing desired by the Commissariat which, in turn, held implications for the uniformity of the clothing. In the earlier years these compromises resulted in purchasing a range of woollen clothing in the hopes of balancing the necessities of economy and quality, with little regard for the pattern or design of the items.

By the end of the decade, however, uniformity was more of a priority. With the excess clothing remaining after issue and a growing awareness of the importance of reserve stores, the Commissariat were able to compromise on the full woollen suits requested with hybrid suits made from the items of duck clothing that were traditionally issued for summer use. Although this was also clearly the most economic option, Miller specifies that it 'would have been impossible to obtain

[74] TNA, T 1/4348, 'Letter from the Office of Ordnance to the Treasury, 9th December 1836.'
[75] TNA, T 1/4348, 'Letter from the Commissariat Office to the Treasury, 11th June 1838.'
[76] ibid.

in the Colony […] anything which could have been substituted in place of it', signifying that the woollen clothing that was available was no longer considered suitable for convicts.[77] Both the duck and the woollen clothing that comprised this hybrid suit would have been approved convict clothing, thus suggesting that, by the late 1830s, fabric choice for each season was less important than ensuring convicts were issued clothing that had been commissioned for them according to pre-approved patterns. Compromise in fabric, then, was more acceptable than compromise in the uniformity by the end of the decade.

Woollen clothing as distinction between convicts and free settlers

As has been previously stated, the difficulty in finding suitable woollen clothing in the colony suggests that wool was not a common fabric for the working-class population in New South Wales. Despite the vast quantities of woollen clothing required causing issues in itself, as previously established, the number of convicts in private service was far greater and their clothing was provided to them by the settlers to whom they were assigned.[78] Miller suggests that the woollen cloth deemed suitable for convicts in government service was not readily available in the colony because 'the Settlers in the Colony have now very generally adopted Fustian for Clothing their assigned Servants both in Summer and Winter, it is more expensive but thought preferable.'[79] Miller also suggests that 'many of the principal Settlers have began themselves to import from England the Clothing for their assigned Servants', concluding that 'no dependence should be placed on the Colonial Market' when acquiring woollen cloth.[80]

Bryne's extensive exploration into the clothing of the Rusdens, an English family who immigrated to New South Wales in 1834, supports the idea that wool was not a common material for settlers in free society.[81] In an 1836 letter for Dickenson's Tailors the family order two suits of fustian, one suit

[77] TNA, T 1/4348, 'Letter from the Commissariat Office to the Treasury, 11th June 1838.'
[78] Young, p. 76.
[79] TNA, T 1/4348, 'Letter from the Commissariat Office to the Treasury, 29th February 1836.'
[80] ibid.
[81] Byrne, 'Clothing, Emotion and Consumption'.

of fustian, one 'best jacket and waistcoat', two pairs of drill trousers and two pairs of duck trousers, as well as various other items.[82] According to Byrne all these items would have been suitable for working clothes, particularly in the Australian heat.[83] Fustian, here, is the sole fabric used for suits, with duck and drill both being employed for trousers. Although this is one specific example, considering Miller's arguments, the contrast between the fabrics used for the clothing ordered by this family of free settlers and that issued to convicts, particularly the lack of *any* woollen clothing, is significant.

Considering this, the government's continued attempts to provide summer and winter clothing of different fabrics, particularly the use of wool for the winter clothing, suggests there was clear differentiation between the fabric worn by convicts in the government works and the rest of working-class society. A shift to fustian clothing would have been economically logical, considering the aim of transferring the acquisition of clothing to Australia, both in terms of availability and quality. That fustian is at no point considered a viable alternative for wool clothing, therefore, suggests an intentional desire to distinguish those servants in government employment from those under private assignment.

Convict clothing readily available in the Australian market

Although limitations on certain items in the local market and the compromises enacted to overcome them are important, it is as important to consider those items which were readily available in the Australian marketplace. This availability largely signalled that such articles were already in demand in the colony and, thus, were not as effective in distinguishing convicts in government employment from those under private assignment, or indeed from the rest of working-class society.

[82] Byrne, 'Clothing, Emotion and Consumption', p. 9.
[83] ibid., p. 10.

Shirts

In 1836 Miller notes that 'shirts are used only of one kind by all Workers, assigned Servants, and Convicts Clothed by Government, the supply of them in the Colony is therefore more regular, and [he] conceive[s] there can be no doubt of obtaining in the Colony the quantity as required.'[84] The shirts to which Miller is referring were of plain unbleached cotton with blue weft stripes of alternating thicknesses running vertically down them.[85] Several examples of such shirts have been discovered in convict barracks across Australia, either in relatively complete condition (Figure 8, 9 and 10) or as remaining scraps (Figure 11).

Former curator of The Mint and Hyde Park Barracks Museum Fiona Starr notes that the remnants of shirts found in the Hyde Park Barracks were made of different striped fabrics, with 'several variations of this type of shirt and other government-issue clothing […] also [being] evident from images and accounts from the period.'[86] Despite these differences in shirt type and fabric, however, the blue striped pattern remains consistent and recognisable, which Starr argues would 'easily distinguished the wearer as a convict'.[87] Considering that, as Miller states, this style of shirt would have been common among free working class settlers, however, this was not necessarily the case.

[84] TNA, T 1/4348, 'Letter from the Commissariat Office to the Board of Ordnance, 29th February 1836'.
[85] Fiona Starr, 'An Archaeology of Improvisation: Convict Artefacts from Hyde Park Barracks, Sydney, 1819–1848', *Australasian Historical Archaeology*, 33 (2015), 37–54, pp. 42-43.
[86] Fiona Starr, 'Off Convicts' Backs', *Sydney Living Museums*, 2015 <https://sydneylivingmuseums.com.au/stories/off-convicts-backs> [accessed 13 October 2022].
[87] ibid.

Figure 8: Cotton convict shirt from Hyde Park Barracks

Figure 9: Convict shirt found in Commandant's Cottage in Granton, Tasmania (front)

Figure 10: Convict shirt found in Commandant's Cottage in Granton, Tasmania (back)

Figure 11: Scraps of fabric from convict shirts found in Hyde Park Barracks, Syndey

Stripes and distinguishing convicts in colonial Australia

Despite the prevalence of the striped shirt in wider society, it was still an established part of convict clothing and, thus, carried its own social associations with criminality. The first suggestion of adding a distinguishing feature to convict clothing in Australia was made by Governor Phillip in 1791, who proposed that 'their linens and woollens might […] without any additional expense, have a stripe of a different colour wove into them' in order to try and prevent 'the convicts cloathing [sic] and necessaries from passing into the hands of those for whom those articles are not intended.'[88] Still in the earliest period when the colony was entirely dependent on the infrequent, and often insufficient, British deliveries and clothing was incredibly scarce, the primary motivation behind this design specification was to prevent convicts from selling their clothing on to settlers and, thus, ease the financial strain on the government.[89] As Maynard argues, this suggestion came out of the practical desire to prevent clothing intended for convicts from being sold on, rather than from a desire to humiliate convicts or prevent their escape, as has been seen with the clothing issued in later decades.'[90] Although this may not be the intention, however, issuing clothing with a distinguishing feature to a group of people immediately signals their position as a member of that group to wider society.[91] In this way, even sartorial signifiers that were not introduced with the express intention of constituting a 'uniform' as such, can be interpreted as such from an external viewpoint.

Beyond this, however, there remains a strong association between striped fabric and criminality in the Western imagination.[92] As has been previously argued, the striped shirts issued were not the most highly coded item of clothing for convicts in government service, however this is not to say that

[88] *Historical Records of Australia*, ed. by Frederick Watson, 33 vols (Sydney: Library Committee of the Commonwealth Parliament, 1914), i, p. 308.
[89] Maynard, p. 9.
[90] ibid., p.14.
[91] Nathan Joseph, *Unifoms and Nonuniforms: Communication through Clothing* (New York; London: Greenwood, 1986), p. 17.
[92] Michel Pastoureau, *The Devil's Cloth: A History of Stripes and Striped Fabric*, trans. by Jody Gladding (New York; Chichester, West Sussex: Columbia University Press, 2001), p. 55.

they did not carry strong social connotations. While it is important not to project modern associations between stripes and criminal clothing onto this period, the striped shirt was of a distinctive and uniform pattern for all classes of convict in the government works throughout several decades and states within Australia in the early nineteenth century. The shirt was also commonly issued to convicts in private service, meaning that it was one of the only items which could signal convict status regardless of class or assignment.

Nathan Joseph compares the use of sartorial signs in the creation of a recognisable uniform to the rhetorical use of metaphor, suggesting that 'metaphor establishes a link between two items from different contexts so that the commonplace associated with one item are applied to the other [and…] the sartorial equivalent of metaphor consists of the borrowing of the social characteristics of another – status, relationship, and attributes – by adopting his dress.'[93] He expands on this by arguing that

> the selection of symbols by metaphor is not necessarily to be construed as conscious or deliberate by wearers who may take for granted their choice of an item as simply being more suitable to their purpose or as more indicative of modesty, humility, or respectability. They may have no more awareness of the social import of their clothing, they are engaged in the manipulation of others' perception through assimilation to selected social positions.[94]

Considering this, despite the lack of evidence for the design of the shirts having the same of intended purpose of classification and control as the jackets, waistcoats and trousers (as discussed in chapter 1), the striped shirt may have become a more unintentional symbol of criminality from an external perspective, due to its prominent use by the convict population. In contrast to convicts being distinguished through clothing and fabric that was not commonly seen in the colony, the cheapness and availability of the striped shirt throughout Australia meant that it was more likely to

[93] Joseph, p. 14.
[94] ibid., p. 17.

be purchased both by the commissariat for convicts in government employment and issued to those in private assignment. The mass purchase and issue of garments in this way renders the impression of a uniform somewhat unavoidable, even if the specifications around this garment were less strict. Any sense of the striped shirt as convict uniform in this case, therefore, was the result of a social consensus, rather than government intention, even if these shirts were not exclusively worn by convicts.

Conclusion

Throughout the 1830s the government encountered several challenges when issuing clothing to convicts in government service. These challenges primarily occurred when expected stores from England did not arrive in time for the scheduled issue date, forcing the Commissary to purchase clothing in Australia with little notice, often at higher costs and lower quality. This unplanned purchasing also resulted in a disruption in any intended uniformity of convict clothing, as items supplied from England were often not available in the colony or were only available in small quantities. Attempts to establish a sustainable supply chain of convict clothing in Australia, both by preparing the mercantile community for future tenders and employing convict women to weave cloth and sew clothing, were largely unsuccessful.

A variety of solutions were employed in response to these supply issues, with a wider range of clothing being permitted for convict use in the earlier years to ensure that sufficient clothing was provided. Toward the end of the decade, however, as stores of reserve clothing became more significant, hybrid uniforms made from pieces of summer and winter uniforms were preferable. This ensured that, even if the fabric used was incorrect for the season, the clothing issued would still be recognisably convict clothing, rather than merely an acceptably similar garment purchased in the free market.

In particular the woollen clothing used for winter issue was in scarce supply in the colony, as a majority of Australian wool was exported to England and not in common use as working clothes for

free settlers or convicts under private assignment. This was also of great significance because, as discussed in chapter one, the woollen jackets, waistcoats, and trousers assigned to the convicts were, to the government at least, the most symbolically significant garments. The difficulty in securing a reliable and consistent supply of these articles, therefore, had great implications for the government's ability to establish these items as a uniform.

On the other hand, the striped shirts issued to convicts, which were readily available in the colony, took on a new symbolic meaning. Issued to all convicts, regardless of class, assignment or location, and consistently available in the colony when imported supplies failed, this shirt was a more constant aspect of a convict's dress. As a result of this, the striped shirt developed an accidental association with convictism within settler society. Although not intentionally issued to reinforce the social structures within the penal system, their prevalence as a part of a convict's attire allowed striped shirts to be interpreted as part of a 'convict uniform', even if this was not the government's original intention.

Chapter 3: Designing the convict in public imagination

Despite the motivations behind implementing a uniform being important, uniforms are also inherently concerned with distinguishing a group from wider society.[1] In order to properly consider the role of convict uniform in colonial New South Wales, therefore, it is also necessary to address discussions surrounding convict uniform by contemporary settlers to understand how it was interpreted and the role it played in wider society. Although it is difficult to fully assess the 'success' of such a uniform, this helps to reveal the public understanding of the role of clothing in the penal system and the sartorial symbols that would indicate convict status to someone in the colony.

Changing social structure and attitudes towards convicts

One of the greatest divides in white Australian society during the colonial period was that between convicts and free society, be that free settlers, people of European descent who were born in the colony, or ex-convicts themselves.[2] During the 1820s and 1830s, in particular, the relationship between these two parties was experiencing a significant shift, largely due to the quantities of free settlers slowly beginning to outweigh the convicts, and an emerging desire to develop the Australian colonies into a self-sustaining society, rather than a 'dumping-ground' for Britain's excess convicts, as Timothy Coghlan so graciously puts it.[3] The 1841 census of New South Wales, for instance, showed that nearly 17% of men and over a third of women living in the colony had been born there.[4] While this progression was to be expected, it sparked larger conversations around how to navigate such a large convict population in a developing society and what the role of the convict should be moving forward.

[1] Jennifer Craik, *Uniforms Exposed: From Conformity to Transgression*, 1st edn (Oxford: Berg, 2005) <https://doi.org/10.2752/9781847881212>.
[2] Sandra Blair, 'The Felonry and the Free? Divisions in Colonial Society in the Penal Era', *Labour History*, 45, (1983) 1–16, p. 1.
[3] T. A. Coghlan, *Labour and Industry in Australia: From the First Settlement in 1788 to the Establishment of the Commonwealth in 1901*, 4 vols (London: Oxford University Press, 1918), I, p. 172.
[4] Laura Panza and Jeffrey G. Williamson, 'Australian Squatters, Convicts, and Capitalists: Dividing up a Fast-Growing Frontier Pie, 1821–71', *The Economic History Review*, 72.2 (2019), 568–94, p. 582.

Both T. A. Coghlan, and R. W. Connell and T. H. Irving point to the after-effects of the Napoleonic War on Britain, as well as a new recognition for the potential of pastoral industry in Australia, leading to an influx of working-class settlers immigrating from England.[5] Widespread unemployment and destitution as a result of the war along with the effects of the introduction of machinery to industry in Britain encouraged immigration to Australia as a way to relieve the home nation and a way to strengthen her colonial power.[6] This influx of free labour led to growing dissatisfaction with convicts assignment to free settlers, as it drove down wages and took potential jobs away from these new settlers.[7] Subsequently, the percentage of convicts in the private labour force decreased, with the 55 per cent of private labour that had come had from convicts in 1825 reducing to 40 per cent by 1840.[8] In addition to this, in respect of the shifting opinions surrounding convicts at this time, 'respectable convicts and ex-convicts, who on the whole had been rising in influence and dignity up to about 1820, were squeezed out of positions of authority. Immigrant professionals such as lawyers and surveyors became more prominent in the administration. The courts were reformed and convict administration was bureaucratised.'[9] Therefore, although convicts were still very much a large part of the private labour market, and thus highly visible as a part of colonial society, there was a growing divide between free settlers and the convicts in the colony.

Convict visibility

These changing attitudes invite the question of convict visibility and their subsequent ability to integrate into wider society. Beyond Australia, in the preceding decades, Foucault has argued that the primary point of convict visibility had been during the spectacle of corporal punishment and execution.[10] He concludes 'the disappearance of public executions marks therefore the decline of

[5] Coghlan, p. 172; R.W. Connell and T.H. Irving, *Class Structure in Australian History*, 2nd edn (Melbourne: Longman Cheshire Pty Limited, 1992), p. 37; 42.
[6] Coghlan, p. 172.
[7] Connell and Irving, p. 16.
[8] Panza and Williamson, p. 582.
[9] Connell T.H. Irving, p. 37.
[10] Michel Foucault, *Discipline and Punish: The Birth of Prison*, trans. by Alan Sheridan, 2nd edn (London: Penguin, 1991), pp. 32-69.

the spectacle; but it also marks a slackening of the hold on the body.'[11] Andrew Lattas applies this to the context of colonial Australia, arguing that convict execution was significant in New South Wales as it took place in 'a cultural universe which assigned particular forms of signification to the body as a vehicle for the expression of class relations.'[12] He expands on this suggesting that 'public punishments operated as degradation rituals, as rites de passage which used the body symbolically to mark out and bring about changes in social status and moral identity' and that 'the terror [of public execution] lay partly in the sense of shame they sought to produce.'[13] Although he does briefly mention convicts 'being forced to wear distinctive clothing' as a method of punishment, the transcription of similar messages on the body through clothing is not considered, despite 'clothes [being] used as signifiers of power of the penal establishments to bodily punish' in a very similar way.[14]

One of the primary reasons for the high level of convict visibility in the colony was enforced labour, which constituted a large part of the penal system in colonial New South Wales. Whether convicts were integrated into private enterprise through assignment, or labouring in the public works, the sight of convicts was unavoidable.[15] Foucault discusses public works, such as those enforced upon convicts in New South Wales, as a means of visible punishment. Here, he argues,

> the convict pays twice; by the labour he provides and by the signs that he produces. At the heart of society, on the public squares or highways, the convict is a focus of profit and signification. Visibly, he is serving everyone; but, at the same time, he lets slip into the minds of all the crime-punishment sign: a secondary, purely moral, but much more real utility.[16]

[11] Foucault, p. 10.
[12] Andrew Lattas, 'The Aesthetics of Terror and the Personification of Power: Public Executions and the Cultural Construction of Class Relations in Colonial New South Wales, 1788-1830', *Social Analysis: The International Journal of Social and Cultural Practice*, 19 (1986) 3–21, p. 3.
[13] ibid., p. 5; 16.
[14] Juliet Ash, *Dress Behind Bars: Prison Clothing As Criminality* (London: I. B. Tauris & Company, Limited, 2009), p. 3; ibid., p. 5.
[15] Robert Hughes, *The Fatal Shore: A History of the Transportation of Convicts to Australia, 1787-1868*, 2nd edn (London: The Harvill Press, 1996), p. 344.
[16] Foucault, p. 108.

What this relies upon, however, is convicts being distinguished through some visual marker, such as clothing. Thus, though clothing does not form a prominent part of either academics' argument, the importance of the body, the visibility of convicts in society and, to an extent, public humiliation in their punishment is all established and creates a theoretical framework within which the importance of convict clothing in the colony can be explored.

Considering the importance of visibility in the context of convict punishment, then, it is worth revisiting the role of convicts in the colony during this period, as well as the role that clothing played in both distinguishing convicts from the wider public and as an active part of these rituals of public humiliation. In addition to the increase in free settlers entering the labour market, there was a reduction in the portion of convicts being assigned to free settlers, with 72 per cent of convicts being assigned to private service in 1827 and only 66 per cent being assigned in 1835.[17]

Although most convicts were still being assigned there is a clear change in the prominence of convict labourers in private society. There have been several reasonings assigned to this change, although the significance of public opinion on the convict system, particularly concerns that the labour of convicts under private assignment was no more than a glorified form of slavery, is often emphasised.[18] When considering the recognisability and visibility of convicts, however, the assignment system complicated matters, as convicts were provided clothing by their individual masters, making the creation of a convict uniform, and thus a clear visual symbol of the wearer's convicted status, impossible. By contrast, an increase in men labouring in the public works meant a reinforcement of convicts as a homogenous, identifiable group both through the physical ordering of convicts in government gangs and the similarity of their garb.

[17] Panza and Williamson, p. 582.
[18] Coghlan, p. 189; J.B Hirst, *Convict Society and Its Enemies: A History of Early New South Wales* (Sydney: George Allen & Unwin, 1983), p. 81; Hughes, p. 282; Stephen Nicholas, *Convict Workers: Reinterpreting Australia's Past* (Cambridge: Cambridge University Press, 1988), p. 111.

Figure 12: Convicts building road over the Blue Mountains*,* New South Wales, 1833*, by Charles Rodius*

Figure 13: View taken on Major Mitchell's Pass to the Pilgrim Decr 5th 1832

Identifying convicts as a homogenous group was desirable as it allowed for a clear delineation between convict and free citizen, rather than a society where the assigned convict labourer was essentially undistinguishable from the free, and this is certainly the impression that contemporary

images portray.[19] As is perhaps to be expected, remaining contemporary images that depict settler society in Australia are relatively scarce, particularly if this sample is limited to images made in New South Wales during the 1830s. Robert Hughes argues that 'in most sketches and paintings of [the Australian] landscapes, even those by convict artists, the convicts do not appear. When they do […] they are reduced to inconspicuous *staffage* figures against the notch of Western plain that opens promisingly to view' (figure 12 and 13).[20] This appears to be a conscious decision as, according to Hughes, the government gangs were extremely visible to those living in New South Wales.[21]The lack of convicts in these images demonstrates an attempt to remove convicts from the areas where free settlers exist, suggesting that the ideal colony was one where there was a clear divide the free and the convicted. Ideally, the convict would not be visible to the free settler at all.

Hyde Park Barracks and the visibility of convicts

This conscious removal of the convict from visual imagery is even more apparent when viewing images of convict buildings. Perhaps contradictorily, representations of convictism were not completely absent from contemporary artwork. There are several images of the convict accommodation of Hyde Park Barracks (figures 14, 15, 16 and 17) for instance, both from personal sketches that have been recovered (figure 17)[22] and prints that were then bound in collections to be sold in the colony (figure 16)[23].

[19] Margaret Maynard, *Fashioned from Penury: Dress as Cultural Practice in Colonial Australia*, Studies in Australian History (Cambridge: Cambridge University Press, 1994), p. 10.
[20] Hughes, p. 345.
[21] ibid., p. 344.
[22] Nan Phillips, 'Rae, John (1813-1900)', *Australian Dictionary of Biography* (2006), <https://adb.anu.edu.au/biography/rae-john-4443> [accessed 04/11/2022].
[23] 'J. G. Austin', *Australian Prints + Printmking* (Centre for Australian Art), <https://www.printsandprintmaking.gov.au/artists/2937/> [accessed 04/11/2022].

Figure 14: Hyde Park Barracks, from 'Drawings in Sydney', ca. 1840-1850

Figure 15: Watercolour of Hyde Park Barracks attributed to George William Evans, 1819

Figure 16: Lithograph of Hyde Park Barracks from 'Sketches of Sydney, New South Wales', 1836, by J. G. Austin

Figure 17: Watercolour of Hyde Park by John Rae, 1842

The prominence of the barracks in these sketches demonstrate that the presence of convicts and the convict system itself was not necessarily considered taboo or shameful. In many of these images Hyde Park Barracks is presented as one of the most prominent and recognisable buildings in the emerging colony, with some of these images proudly declaring to the viewer the purpose of the building. Beyond this, however, the use of the buildings may be a mystery to an uninitiated viewer, as the prisoners who lived and worked within the walls of the building, often at higher capacity than it was suitable for, are nowhere to be seen.[24] Instead, both the 1836 lithograph by John Gaudier Austin (figure 16) and the watercolour by John Rae (figure 17) depict the free settlers of the colony flaunting their freedom as they go about their business beyond the confines of the barracks.

Despite the different artists and dates, all these images depict the main barrack building from beyond the main wall surrounding the compound, physically demonstrating the barrier between convicts and the rest of society. In these images the barracks are displayed as symbols of effective colonial control over the convicts, as they represent a physical divide in the space occupied by each group, with the inclusion of the free settlers only working to reinforce the idea that the convicts were effectively contained and punished away from the public eye. The lack of convicts represented in these images, then, is telling in itself, as it indicates a desire for stronger delineation between those who were imprisoned and those who were free, and a desire that those who had been convicted should be completely removed from the public eye.

Uniformity and control

The assignment system was largely beneficial for the government, who were struggling with the financial and social demands of controlling an emerging colony, especially one with such a high convict population. Most obviously, this system provided the cheap labour needed to kickstart the economy and industry in the colony, as well as relieving some of the cost of caring for the convicts,

[24] Nicholas, pp. 189-190.

from the government's shoulders.[25] Robert Hughes also argues that the assignment had a third merit in that it expanded the government's control as

> it dispersed convicts all over New South Wales and Van Diemen's Land, instead of concentrating them in potentially rebellious gangs. It could also control settlers through patronage. The government could punish a settler by denying him convicts, or reward another by assigning them. This damped the political dissensions of free settlers, just as the convicts could be kept in line by the threat of the lash and the promise of eventual freedom.[26]

In this way, the assignment system not only allowed the government to reduce some of their responsibility towards convict care, but, as Stephen Nicholas argues, it 'was a mechanism through which the government directed colonial development.'[27]

Despite this, the almost inevitable integration between convicts and free society, particularly the free working class, because of the assignment system, caused tension within the colony. Convicts were certainly visible; however, this visibility was not due to a ritual of humiliation or punishment that would set the convict apart from society, but as a consequence of a lack of any strict system which maintained the social boundary between convict and free settler.[28] The question of clothing was not absent from this debate and was often framed as a method of either legal or social convict control.

On 16th July 1835, the *Sydney Gazette and New South Wales Advertiser* reported that 'the appearance of a prisoner and free settler is so uniform, especially in the country where, from no necessity to preserve external distinctions, master and man are clothed in the same homely

[25] A. G. L. Shaw, *Convicts and the Colonies: A Study of Penal Transportation from Great Britain and Ireland to Australia and Other Parts of the British Empire* (London: Faber and Faber, 1966), pp. 18-20.
[26] Hughes, p. 286.
[27] Nicholas, p. 119.
[28] Maynard, p. 26.

costume, that this similarity *confuses the police'* [emphasis added].[29] Three years later the newspaper reported on an assigned convict being sentenced to 23 lashes because he 'was in the habit of dressing himself in the clothes of his master's apprentices and going out.' In addition to his punishment, it was noted that the apprentices were also cautioned 'not to lend government men[30] clothes, as it afforded them opportunities of disguising themselves from the observation of the police.'[31] Here convict clothing, and the lack of enforced uniformity within it, is primarily framed as an issue for the police, and thus a threat to legal order in the colony. In consequence of this, particularly in the first article, this is framed as a danger to wider society as this lack of distinction may lead to a free man being incorrectly identified as an escaped convict and being treated as such.[32] Convict clothing here is seen as a method of marking out an individual's moral status and, thus, denoting how they should be treated in society, especially by members of law enforcement.

On 1st April 1837, *The Sydney Times* published an article arguing that they 'entirely concur in the recommendation that a palpable distinction ought to exist between the bondsmen and freemen in this territory.'[33] This distinction was explicitly linked to clothing, as it was suggested that convict clothing 'is now so diversified, from that fit for the nobleman, *to that fit for the pauper or convict*, that it is utterly impossible to know how to carry or deport ourselves towards persons we meet on the highways, or elsewhere' [emphasis added].[34] Although there is some acknowledgement to the 'grey gaol dress' issued to convicts on their arrival in the colony, it was argued that

> 'the moment they get a footing in this land of liberty, within a week of their being turned loose here, all discipline is lost sight of – their distinguishing dress (which in respect to those

[29] 'Police Protections', *Sydney Gazette and New South Wales Advertiser* (New South Wales, 16 July 1835), p. 2.
[30] A 'government man' was a contemporary euphemism for convict.
[31] 'The Quarter Sessions', *Sydney Gazette* (27 December 1838), p. 2.
[32] 'Police Protections', *Sydney Gazette,* (16 July 1835), p. 2.
[33] 'Convicts' Costume', *The Sydney Times* (New South Wales, 1 April 1837), p. 2.
[34] ibid.

> who are assigned, is paid for by the settler) is cast away, and they are now fledged, some in their dress coats – some surtouts – some shooting coats – some Newmarkets, &c. &c.'[35]

The article continues to suggest that 'convicts from their crimes, should surely be in a humiliating situation in society – they should be as in other countries, so clad as to make them distinguishable *at first sight*, and from whom the uncontaminated, free citizens have a right to expect a respectful recognition and deportment' [emphasis in original], with the lack of enforcement of uniform convict clothing allowing convicts to believe that 'the country is theirs […] that the free are intruders and disturbers of their natural rights of enjoyment.'[36] It was finally suggested that

> the Governor should by Government Order prescribe a *uniform colour* and *description* for clothing authorised to be issued by the Assignees of convicts, the same should be branded with the settler's name or initials; the Government should issue precisely the same sort of clothing to convicts retained by them, and it should be rendered highly penal on any convict to be seen in any other than the *lawful dress* [emphasis in original]. [37]

Several priorities are revealed within this article. Firstly, the confirmation that the distinction between convict and free settler was, indeed, a cause for concern among certain groups of settlers. Secondly, that this concern was inherently related to the freedom afforded to convicts undermining their punishment. Thirdly, there is a recognition that a stricter enforcement of a uniform would not only aid the problems in identifying and controlling the convict population, but could be used as an active tool in their humiliation.

The primary motivation behind this call appears to be the maintaining of class hierarchy, rather than the strict convict/setter divide. The links between enforced uniform and the history of sumptuary

[35] 'Convicts' Costume', *The Sydney Times* (New South Wales, 1 April 1837), p. 2.
[36] ibid.
[37] ibid.

laws has been commented on by many academics,[38] so it is not surprising considering that, as R. W. Connell and T. H. Irving argue, by this period 'something approaching a regional ruling class had formed in […] central New South Wales',[39] the question of convict uniform automatically corresponds with the reinforcement of class boundaries. In fact, an 1832 decree that convicts should not be permitted to wear long jackets directly correlated with their associations with the upper classes.[40] Clothing that was deemed fit for a pauper, however, was also deemed fit for the convict. Considering the colony had already seen ex-convicts rising to positions of power following their emancipation, it stands to reason that there would be anxiety over any indication that convicts were appearing to, or even had the means to, rise above the lowest classes in society.[41] What this called for then, was not a complete removal of convicts from society, but a visual code by which class was easily inferred in order to reinforce emerging social hierarchies and, thus, amplify the humiliation and dehumanization of the convict.

Recognisability of convict uniform

While there was clearly concern surrounding the uniformity of convict clothing, there was also a sense of what constituted 'convict clothing' to the external viewer. A report from 1831 concerning two escaped convicts comments on the fact that 'they were not dressed in government clothing, they were shabbily dressed', when encountering a witness.[42] This indicates a certain expectation surrounding the appearance of convicts and a recognition of government issued clothing, beyond merely the 'shabby' dress, which would perhaps satisfy the demands of ensuring convicts were

[38] Craik; Nathan Joseph, *Unifoms and Nonuniforms: Communication through Clothing* (New York; London: Greenwood, 1986), p. 32; Sharon Peoples, 'Dress, Moral Reform and Masculinity in Australia', *Grainger Studies: An Interdisciplinary Journal*, 1 (2011), 115–35, p. 118.
[39] Connell and Irving, p. 57.
[40] Maynard, p. 16; Linda Young, 'The Experience of Convictism: Five Pieces of Convict Clothing from Western Australia', *Costume*, 22.1 (1988), 70–84, p. 82. Jane Elliot has also published an article on the consumer habits of free convicts in the preceding decades which, while not directly concerned with convict uniform, demonstrates the distinction between convict and settler demand on the colonial clothes market, 'Was There a Convict Dandy? Convict Consumer Interests in Sydney, 1788–1815', *Australian Historical Studies*, 26.104 (1995), 373–92.
[41] Connell and Irving, p. 37.
[42] 'Supreme Court', *Sydney Gazette* (13 January 1831), p. 3.

visually signified to be of the lowest class in society. A letter from a correspondent a year earlier discusses a highway robbery where the assailants are described as being dressed 'like the road-gang man, grey jackets and straw hats.'[43] It is significant that both reports concern convicts who had previously been in government care, suggesting that the greater uniformity in clothing among these convicts was, indeed, noticeable and recognisable to the public. It is also worth noting that the 1830 article specifically notes that the expected road-gang attire consisted of 'grey jackets and straw hats', rather than the conspicuous parti-colour clothing which, as previously discussed, was designed with the more intentional purpose of humiliating the wearer and marking them out from the rest of society.

Parti-colour clothing

Parti-colour clothing, however, was a contentious topic in itself. Although it was introduced two decades earlier, mentions of parti-colour convict clothing in newspapers drastically increased during the 1830s, indicating an increased awareness of the role of clothing in the convict system. Although similar arguments were employed when discussing parti-colour clothing, they were, perhaps unsurprisingly, often more polarised than general discussions on convict dress. The *Sydney Gazette and New South Wales Advertiser* once again, in 1835, suggested that the

> party colored garment [sic] worn by the iron gangs would surely […] prevent their escape – and if degradation can do any thing towards punishment, the degradation of this system will do good. The security of the people has demanded such a distinction', thus largely reiterating the concerns previously discussed.[44]

It is worth noting that, in her extensive study on the relationship between convicts and the press in colonial Australia, both as a subject and as assigned workers for colonial newspapers, Sandra Blair argues that the *Sydney Gazette and New South Wales Advertiser*, following a change in owner in

[43] 'Highway Robbery', *Sydney Gazette* (3 April 1830), p. 3.
[44] 'Public Meeting', *Sydney Gazette* (5 May 1835), p. 2.

1835 became much more conservative, as it 'abandoned the cause of colonial reform and became an echo of the highly conservative *Sydney Herald*'.[45] Considering this, it is perhaps unsurprising that the views expressed here support stricter methods of control over the convict population and praise the implementation of humiliating costume for them.

Looking beyond the larger publications, however, several contradicting opinions emerge. An 1833 article published in *The Currency Lad*[46] criticises the penal systems for perceived injustices that saw attempts 'to compel [innocent] persons in confinement, before trial, and for misdemeanours to wear party-coloured gaol dress [sic]'. This is an ordeal that is described as 'more abhorrent to [Englishmen] than death itself.'[47] A similar sentiment is argued in an 1840 article in the *Commercial Journal and Advertiser*. Here it is suggested that 'the state of society in New South Wales, both in point of numbers and moral eligibility is now so auspicious, that there is no necessity for this party-coloured system [sic].'[48] Although this is referring to the entire convict system in the colony, it is significant that the parti-colour clothing of convicts in the iron gangs was so prevalent at this time that it could be used as shorthand for the entire system. *The Currency Lad* was created, as the name suggests, to appeal to those who had been born in the colony and, thus, may be directly descended from transported convicts and be less likely to be concerned with English class ideals, which the influx of free settlers brought with them. This likely accounts for the increased level of sympathy towards convicts in their publication.[49]

Ultimately, however, whatever opinion an individual periodical expressed, the control and punishment of convicts was an ongoing debate throughout the decade, with clothing being one of the ways in which these systems were both understood and argued about among free settlers.

[45] Blair, p. 15.
[46] Currency lads or lasses was a contemporary slang term used to describe first generation white Australians.
[47] 'Prison Discipline', *The Currency Lad* (Sydney, New South Wales, 26 January 1833), p. 2.
[48] James Dowling, 'Proposed Judicial and Legal Proceedings', *Commercial Journal and Advertiser* (Sydney, New South Wales, 6 June 1840), p. 4.
[49] Benjamin T. Jones, 'Currency Culture: Australian Identity and Nationalism in New South Wales before the Gold Rushes', *Australian Historical Studies*, 48.1 (2017), 68–85, pp. 79-81.

Although there was a recognition of a certain variation of recognisable convict clothing for those in public works, the parti-colour suits worn by the convicts in the iron gangs were certainly at the centre of this debate as its conspicuousness meant that it exemplified both the visibility of the convicts in the colony and the systems of control and punishment that they lived under. This association was so prevalent that the entire system, ultimately, could be referred to as the 'party-

coloured system' and be understood as a summation of the complex process of convict assignment and care.

Figure 18: A Government Jail Gang, *by Augustus Earle (1830)*

A Convict Jail Gang by Augustus Earle

One of the clearest artistic depictions of convicts during this period is a lithograph published in 1830 by British artist Augustus Earle, who arrived in Australia in 1825, before leaving three years later (figure 18).[50] This lithograph was originally published in London, likely as part of a selection of other lithographs that were published in the same year under the title *Views in New South Wales, and Van Diemen's Land.*[51] In addition to providing perhaps an unusual visual representation of convicts both in the forefront of the image and *outside* the seemingly impenetrable walls of Hyde Park Barracks, this image also gives an insight into the perceptions of convicts which were being circulated back in England.

Although there are certainly similarities between the garb worn by the convicts in this image – they are all wearing, for instance, either wide-brimmed leather hats or red wool caps – there are also great inconsistencies from the uniform that would not be expected based on the government correspondents examined earlier. Firstly, although these men are described as a 'jail gang' by the artist, and a number of them are wearing iron chains around their ankles, there is no sign of the infamous parti-colour clothing. Despite this, as Maynard also acknowledges, the men in white trousers appear to be wearing the button-up 'overalls' that were used to accommodate dressing whilst wearing iron manacles.[52]

[50] Bernard Smith, 'Earle, Augustus (1793-1838)', *Australian Dictionary of Biography* (2006), <https://adb.anu.edu.au/biography/earle-augustus-2016> [accessed 28/10/2022].
[51] ibid.
[52] Maynard, p. 16.

Figure 19: Taken from A Government Chain Gang, *by Augustus Earle, which more clearly shows the broad arrows and 'PB' markings*

It is also clear that the monochromatic jacket, waistcoat, and trouser uniform that was presented in the correspondence was not implemented with complete success. Here, men in iron chains are depicted wearing the blue jackets intended solely for the convict overseers, while simultaneously donning the yellow jackets of the 1st and 2nd class convict. As Earle is depiction of convicts here was presumably intended to inform people beyond Australia of the expected visual indicators of convictism, this lack of uniformity is significant and begs the question as to what the alternative symbols may be.

Broadmarks

Perhaps the clearest sartorial marker of convictism in this image, then, are the broad arrows and 'P.B.' initials, indicating the garment wearer's home in the prison barracks. Although the broad

arrows can clearly be seen on the white trousers and yellow jackets in the coloured version of this lithograph (figure 18), the black and white copy (figure 19), which is held in a separate collection, clearly shows that the darker items of clothing, as well as the shirts worn by the convicts, are completely saturated with these marks of criminality. When compared to remaining items of clothing, however, it becomes clear that the prominence of these marks in Earle's images are likely overexaggerated.

This can be seen with a re-examination the cotton convict shirt found in Hyde Park Barracks, for example. This shirt has both a broad arrow and 'BO' stamped on it, in reference to the Board of Ordnance who supplied it, as can clearly be seen in figure 21. Viewing the shirt as a whole from the front (figure 20), however, this mark is almost imperceptible and would essentially be covered if it was worn tucked into trousers. Either way, this is certainly a far cry from the six or seven broad arrows that adorn a single side of the shirt belonging to one of Earle's convicts.

Maynard states that 'the arrow mark signified government property and was not reserved particularly for convict issue.'[53] In light of this, it stands to reason that broad arrows are relatively sparse on remaining clothing, even that which has evidence of wear, as the intention of the broad arrow and similar markings was not necessarily to distinguish the *wearer* from the rest of society, but to prevent the *item itself* from being resold. Despite this, however, its visible use on the clothing of convicts in the colony, and the difficulties in enforcing the desired uniform clothing, allowed these broadmarks to be adopted as what Nathan Joseph has termed 'salient symbols which differ from the officially designated ones', but essentially carry out a similar function of denoting the wearer's status or purpose in society.[54] In exaggerating these marks in his image, Earle only served to spread and reinforce these associations. Considering this, therefore, it is possible that, even though the government were attempting to enforce a clear system of uniform clothing in order to control

[53] Maynard, p. 21.
[54] Joseph, p. 21.

convicts in their care, the sartorial signifiers that conjured up the image of a convict to a free settler were completely different.

Figure 20: Cotton convict shirt from Hyde Park Barracks, c. 1840, with circle indication of broad arrow and 'BO' stamp

Figure 21: Closer image of broadmarks on cotton convict shirt, c. 1840 shown in figure 18

Conclusion

During the 1830s settler society in New South Wales was undergoing a significant shift. Growing numbers of working-class free settlers and an increasing number of emancipated convicts meant that the colony was moving away from its penal origins to a fully-fledged society of its own, able to be reliant on free labour, as well as the mandatory labour undertaken by the convicts. Socially, this shift also invited further scrutiny of the penal system by free society in the colony. Due to the public nature of the labour undertaken by convicts, their presence in the colony was largely unavoidable, despite remaining contemporary imagery attempting to suggest otherwise. The lack of convicts in this imagery reflects, therefore, a desire to establish a strong distinction between the space inhabited by the free settler and the convict, despite this not being the case.

This desire for distinction was clearly articulated in contemporary newspapers, with articles directly proposing more uniform clothing as a method of distinguishing between convicts and free settlers. Many of the arguments in favour of a stricter uniform being enforced are linked to concerns surrounding maintaining legal order in the colony and ensuring that the class distinctions, which were beginning to emerge in the colony, were made apparent through what was deemed to be appropriate dress. Unsurprisingly, therefore, many of these opinions were expressed by conservative publications. On the other hand, however, there was also concern that the clothing issued to convicts in government service, particularly the parti-colour clothing issued to those in the chain gangs, was excessively humiliating and, thus, reflected badly on the character of the emerging colony.

Despite the newspapers clearly demonstrating that there was discussion surrounding the status of convicts and, more specifically in the context of this essay, their clothing within contemporary society, when exploring contemporary images, it appears that the visual signifiers of convictism for the public were not necessarily the same as the uniform discussed in government correspondence. Although the parti-colour uniform, unsurprisingly, features in both the government and public

viewpoint, there is no clear evidence that the monochromatic uniform which the government intended to signify class translated into the public viewpoint. Instead, the broad arrows and initials that were printed on the clothing emerge as a distinguishing feature of convict uniform in the public imagination. In this way, the discussion surrounding convict clothing is more complex than simply arguing whether the clothing issued could or could not be considered a uniform. Rather, interpretation of a convict's clothing varied depending on the priorities and perspective of the external viewer.

Conclusion

Despite the perceived lack of consistency in convict clothing in 1830s New South Wales, creating a cohesive convict uniform was a priority for the British government. Primarily adopting a colour-coded system that would signal the class of a convict, uniformity of design was one of the key criteria when commissioning clothing, among considerations such as cost and quality. The most extreme case of this was the parti-colour uniform issued to convicts in the chain gangs, which was not only used to indicate the class of the convict, but borrowed from highly coded imagery, such as the figure of the medieval fool, to draw attention to and actively humiliate the wearer.

Although the intention to create a cohesive uniform, and indeed an understanding of the power of uniform as a method of control, is clear, unreliable shipments from England meant that the government faced issues in the consistent distribution of convict clothing. In light of a growing mercantile population and increased privatization in the colony, the government offices became reluctant to subsidise supplies in such great quantities and, instead, aimed to establish a reliable system of supply in Australia. These efforts always failed, however, with clothing purchased in colony consistently being more expensive and of lower quality.

Despite this inability to establish a supply chain within the colony, the availability of certain items in the local market still had an effect on the clothing issued to convicts in government care. The wool used for winter issue, in particular, was difficult to acquire, initially leading to a variation in the fabric used for this clothing that would not usually occur and later, as divergence in uniformity became less acceptable, hybrid uniforms consisting of excess items that had been kept in store. Contrary to this, the wide availability of striped shirts in the colony, and their subsequent consistent issue, led them to gain an unintentional association with convicts.

The understanding of a convict uniform from a free settler viewpoint varied from that outlined in government correspondence. Due to the assignment of labour under the penal system, convicts were a very visible part of society and there were several calls to make them more distinguishable

from free settlers, particularly through their dress. There was, however, some recognition as to the sartorial signifiers of a convict, with the government broadmarks emerging as a particularly prevalent sign, despite their absence from the government letters. Convict uniform, then, was not static, even within the government gangs, but rather the sartorial markers of convictism differed between the government issuing the clothing and the settlers interpreting them.

This complicates the question of to what extent clothing issued to government gangs could be considered a uniform as, to some extent, the challenges faced by the Commissariat in obtaining a consistent supply of clothing had an unavoidable effect on the uniformity of the clothing issued. While this argument has been made, this vastly oversimplifies what can constitute a uniform, as well as the implications for attempting to enforce a uniform in the first place. This study has primarily revealed that, even in the absence of fully uniform clothing, there were consistent elements of convicts' dress that signified their convict status to non-convicts. Whether this was the colour-coded class system recognised by the government, or the broadmarks interpreted by the general public, these broader consistencies within convict clothing signalled the wearer's status to an external viewer, which is ultimately the purpose of a uniform.

Avenues for further research and retrospective

Moving forward, this study most directly could be broadened to look at colonial Australia as a whole. This dissertation has focused purely on the 1830s in New South Wales, however, by this period convict transportation to New South Wales had already been occurring for over 40 years. In addition to this, convicts were also being transported to Van Diemen's Land (modern day Tasmania) and Western Australia, which continued after transportation to New South Wales ended in 1840. Despite the widely similar context of attempting to control convicts in a developing settlement without much of the traditional infrastructure used to maintain the boundaries between the convict and the free, there are nuances to each of these periods and locations, depending on the various Governors and specific social circumstances that would make worthy comparison.

In the context of 1830s New South Wales, however, there is most significantly room for expansion on the views of the colonial public in respect to both convict uniform and the penal system itself. While this dissertation has attempted to shed some light on the various ways convict clothing was interpreted and how each of these interpretations might validly be considered a uniform, a deeper investigation into, not only contemporary newspapers of the time, but written accounts by settlers, for instance, would help to tease out some of the intricacies in this argument.

This dissertation has focused very heavily on government correspondence as its primary evidence, and thus has been heavily influenced by the priorities and compromises of the three departments involved in these exchanges, particularly in the first two chapters. As these correspondences have not previously been explored, it was important to shed a light on them to understand the intricacies of the decisions being made surrounding convict clothing in this era. Moving forward, however, it would also be beneficial to re-examine the various correspondence recorded in more commonly referenced material, such as the Historical Records of Australia which contains the correspondence of the Governors and consider this new material to create a more thorough picture of the complex web of powers influencing the issuing of clothing.

Ultimately, this dissertation has demonstrated the flexibility of government-issued convict clothing in 1830s New South Wales. This period makes an interesting case study as the boundary between convict and free settler was more fluid than at other points in history, rendering clothing even more significance in displaying social position. Uniforms, particularly prison uniforms, are often viewed as unambiguous, universally recognised markers of criminality. While the differing interpretations of convict clothing here challenge this notion, that convicts were still recognisable through their clothing holds wider implications for how we think about uniform. Thinking about convict clothing, and perhaps uniforms more widely, purely in terms of their absolute uniformity, then, is very limiting and reductive, even in cases such as prison uniforms where ideas of control and humiliation are unavoidably entangled with its issue.

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